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Planning Services Division

SOLANO COUNTY Zoning Administrator

**Staff Report
R-465-MR2**

Application No. R-465-MR2 (Faith Baptist Church) Project Planner: Travis Kroger, Planning Technician		Meeting of 2021 Agenda Item No. 1	
Applicant Vic Zavala P.O. Box 928 Vacaville, CA 95696		Property Owner Faith Baptist Church P.O. Box 928 Vacaville, CA 95696	
Action Requested Consideration of Minor Revision No. 2 of Land Use permit R-465 to permit the continued use of the existing modular home originally permitted by Land Use permit U-81-62 as a caretaker's residence for the existing church located at 5100 Maple Road, 0.15 miles west of the City of Vacaville in the Rural Residential (RR-2.5) zoning district, APN 0134-270-060. No other changes to the site or new development are proposed.			
Property Information			
Size: 4.83 ac. (total)		Location: 5100 Maple Road	
APN: 0134-270-060			
Zoning: Rural Residential (RR-2.5)		Land Use: Church	
General Plan: Rural Residential		Ag. Contract: n/a	
Utilities: private well and on-site septic system		Access: Maple Road	
Adjacent General Plan Designation, Zoning District, and Existing Land Use			
	General Plan	Zoning	Land Use
North	Rural Residential	Rural Residential (RR-5)	Residential
South	Agriculture	Exclusive Agriculture (A-40)	Commercial Agriculture
East	Rural Residential	Rural Residential (RR-2.5)	Residential
West	Rural Residential	Rural Residential (RR-2.5)	Residential
Environmental Analysis The project qualifies for a Class I Categorical Exemption from the California Environmental Quality Act pursuant to CEQA Guidelines Section 15301, minor alteration of existing public or private structures.			

Motion to Approve

The Zoning Administrator does hereby ADOPT the attached resolution and APPROVE Minor Revision No. 2 to Land Use Permit No. R-465 based on the enumerated findings and subject to the recommended conditions of approval.

BACKGROUND

The existing development on this parcel consists of a paved parking lot with 51 spaces, the main church building (permitted by R-465 in 1969), a modular classroom (Permitted by Minor Revision No. 1 to R-465 and Building Permit B95-7570, and re-roofed per Building Permit B9800115), a modular home (originally permitted by Land Use permit U-81-62, but is currently in a different location and no building permit is on file), an addition to the existing modular home which does not have any permit records, and 7 accessory structures including two shipping containers, all of which do not have building permits. The approximate dimensions of the accessory structure are as follows: 1 – 16' x 35', 2 – 20' x 8', 3 – 40' x 8', 4 – 10' x 8', 5 – 12' x 10', 6 – 10' x 10', 7 – 10' x 8'. Structures #4-#7 appear to be under 120 square feet, so review by the Solano County Building Official will be necessary to determine whether Building Permits are required.



SETTING

The subject property consists of 4.83 acres of land, fronting on Maple Road in unincorporated Solano County. The surrounding parcels are used for residential purposes use except the parcel to the south, which per aerial images is used for commercial agriculture.

PROJECT DESCRIPTION

The applicant has applied for a Minor Revision to Land Use R-465 to add the existing caretaker mobile home to the existing church use to replace U-81-62 which permitted the modular home separately but has since expired.

No other changes to the site or land use are proposed.

NEIGHBORHOOD COMPATIBILITY

The surrounding development is primarily residential, with one other church located 0.1 miles to the west. No complaints about this use have been received by Solano County so far, so it is unlikely that operation will create any negative impact on the surrounding area.

LAND USE CONSISTENCY

The parcel is designated Rural Residential by the Solano County General Plan Land Use Diagram. As indicated on the General Plan land use consistency table (General Plan Table LU-7) the Rural Residential (RR-2.5) Zoning District is consistent with this designation.

The subject site is zoned Rural Residential (RR-2.5). Within this district, churches are allowed subject to Section 28.73.30(A) & (B)(1) of the Solano County Code. These general requirements address access, lighting, parking, , setbacks, and screening from adjacent residential and agricultural parcels. The existing development will be served by a private well and on-site sewage disposal system.

ENVIRONMENTAL ANALYSIS

The project qualifies for a Class I Categorical Exemption from the California Environmental Quality Act pursuant to CEQA Guidelines Section 15301, minor alteration of existing public or private structures.

RECOMMENDATION

Staff recommends that the Zoning Administrator **ADOPT** the mandatory and suggested findings, and **APPROVE** Minor Revision No. 2 to Land Use Permit No. R-465-MR2, 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.**

The parcel is designated Rural Residential by the Solano County General Plan Land Use Diagram. The proposed use is a conditionally permitted use within the Rural Residential zoning district. The Zoning of the property along with the existing use and proposed modifications is consistent with the General Plan.

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

The site is provided with water by a private well and sewer service by an on-site sewage disposal system. Access is proposed via the existing encroachment off Maple Road.

- 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 church 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 I Categorical Exemption from the California Environmental Quality Act pursuant to CEQA Guidelines Section 15301, minor alteration of existing public or private structures.

CONDITIONS OF APPROVAL

General

1. The above use shall be established in accord with the application materials and development plans as submitted with R-465-MR2 filed September 22, 2015 and as approved by the Solano County Zoning Administrator.
2. Within one year of the approval date of R-465-MR2, the property owner or applicant will obtain a Building Permit from the California State Department of Housing and Community Development (<https://www.hcd.ca.gov/>) for the addition to the modular home.
3. Within one year of the approval date of R-465-MR2, the property owner or applicant will apply for Building Permits for all existing accessory structures which require them and maintain the permits in good standing until the required inspections have been completed. Some structures 120 square feet or less in size do not require Building Permit. The property owner or applicant should provide details (photos and a description of the use) of these structures to the Solano County Building Official to determine whether permits are required. Within 60 days of approval of R-465-MR2, County staff will contact the property owner to schedule an inspection to determine which of the structures described above will require Building Permits. Alternatively, the property owner or applicant will apply for demolition permits to remove the structures and complete the work within 6 months of the date the permit is issued.

Building and Safety Division

4. While the following comments are not all inclusive, they will act as a guideline for the requirements for the construction of any buildings or structures on the site now and in the future. These comments are not required on the application plan for the Use Permit, but (4) sets of plans will be required to be submitted to reflect all of the requirements in the latest edition of the codes adopted by the State of California and Solano County at the time of a construction permit application. These requirements, as well as all other required code requirements, shall be reflected on all construction drawings submitted for permit through Solano County Building Division.

5. The Building and any site improvements shall be designed using the 2019 California Building Standards Codes including the mandatory measures found in the new 2019 California Green Building Code, Chapter(s) 1, 2, 3, 5, 6, 7, 8, and A5 for Voluntary Measures.
6. Prior to any construction or improvements taking place, a Building Permit Application shall first be submitted as per the 2019 California Building Code, or the most current edition of the code 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.”**
7. A separate permit will be required for any grading.
8. A geotechnical/Soils Report will be required for any expansions to existing buildings or for the construction of new buildings.
9. Certificate of Occupancy “111.1 Use and Occupancy. No building shall be used or occupied, and no change in the existing occupancy classification of a building or structure or portion thereof shall be made until the Building Official has issued a certificate of occupancy therefore as provided herein.”
10. The Building Permit plans shall include a code analysis as listed below and the design shall be under the 2019 California Codes and all current rules, regulations, laws and ordinances of the local, state and federal requirements. Upon Building Permit submittal, the licensed architect shall provide a code analysis for each building and structure such as:
 - a) Occupancy Classification
 - b) Type of Construction
 - c) Seismic Zone
 - d) Occupant Load
11. Plans and Specifications shall meet the requirements as per Section 105 of the 2019 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 of 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.”** Electronic media documents are permitted where approved by the Building Official. 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.”
12. The site and all facilities shall meet all of the accessibility requirements found in Chapter 11B of the 2019 California Building Code. The designer is required to design for the most restrictive requirements between ADA Federal Law and 2019 California Building Code. The Solano County Building Division will be reviewing the plans for the most restrictive requirements of the two.

There shall be a complete site plan, drawn to scale, and designed by a licensed architect reflecting all site accessibility.

13. All accessible paths of travel and parking areas shall be a hardscaped surface and shall meet all of the worst-case requirements between Chapter 11B of the 2019 California Building Code and the ADA Federal Law.
14. The fire district will reassess the site for fire life and safety and fire sprinkler requirements.

Public Works Division

15. No conditions.

Environmental Health Division

16. If the water distribution system is experiencing problems with bacteria in the water system, the installation of a point of entry type water treatment device is recommended. The water supply should be sampled and verified as meeting bacteriological standards for drinking water, coliform and e-coli bacteria.
17. If at such a time the population served at the church property exceeds 25 people per day on average for any sixty-day period of the year, the State of California Division of Drinking Water Permit shall be activated, and the applicant shall comply with all requirements of the State Water Resources Control Board, Division of Drinking Water.

Permit Term

18. The Department of Resource Management shall verify ongoing compliance with the terms and conditions of this permit through a program of periodic renewals occurring at five (5) year intervals from the date of granting this permit. The cost associated with the periodic renewals shall be charged at that time.

Attachments

- A – Draft Resolution
- B – Assessor’s Parcel Map

SOLANO COUNTY ZONING ADMINISTRATOR RESOLUTION NO. 21-03

WHEREAS, the Solano County Zoning Administrator has considered Minor Revision No. 2 or Land Use permit R-465 to permit the continued use of the existing modular home originally permitted by Land Use permit U-81-62 as a caretaker's residence for the existing church located at 5100 Maple Road, 0.15 miles west of the City of Vacaville in the Rural Residential (RR-2.5) zoning district, APN 0134-270-060 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 15, 2021, 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.**

The parcel is designated Rural Residential by the Solano County General Plan Land Use Diagram. The proposed use is a conditionally permitted use within the Rural Residential zoning district. The Zoning of the property along with the existing use and proposed modifications is consistent with the General Plan.

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

The site is provided with water by a private well and sewer service by an on-site sewage disposal system. Access is proposed via the existing encroachment off Maple Road.

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

BE IT THEREFORE RESOLVED, that the Zoning Administrator has approved Minor Revision #2 to Land Use Permit R-465 subject to the following recommended conditions of approval:

See Attachment A

I hereby certify that the foregoing resolution was adopted at the regular meeting of the Solano County Zoning Administrator on April 15, 2021.

Allan M. Calder, Planning Manager
Resource Management

ATTACHMENT A - CONDITIONS OF APPROVAL (R-465-MR2)

General

1. The above use shall be established in accord with the application materials and development plans as submitted with R-465-MR2 filed September 22, 2015 and as approved by the Solano County Zoning Administrator.
2. Within one year of the approval date of R-465-MR2, the property owner or applicant will obtain a Building Permit from the California State Department of Housing and Community Development (<https://www.hcd.ca.gov/>) for the addition to the modular home.
3. Within one year of the approval date of R-465-MR2, the property owner or applicant will apply for Building Permits for all existing accessory structures which require them and maintain the permits in good standing until the required inspections have been completed. Some structures 120 square feet or less in size do not require Building Permit. The property owner or applicant should provide details (photos and a description of the use) of these structures to the Solano County Building Official to determine whether permits are required. Within 60 days of approval of R-465-MR2, County staff will contact the property owner to schedule an inspection to determine which of the structures described above will require Building Permits. Alternatively, the property owner or applicant will apply for demolition permits to remove the structures and complete the work within 6 months of the date the permit is issued.

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7. A separate permit will be required for any grading.

8. A geotechnical/Soils Report will be required for any expansions to existing buildings or for the construction of new buildings.
9. Certificate of Occupancy “111.1 Use and Occupancy. No building shall be used or occupied, and no change in the existing occupancy classification of a building or structure or portion thereof shall be made until the Building Official has issued a certificate of occupancy therefore as provided herein.”
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 - a) Occupancy Classification
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Permit Term

18. The Department of Resource Management shall verify ongoing compliance with the terms and conditions of this permit through a program of periodic renewals occurring at five (5) year intervals from the date of granting this permit. The cost associated with the periodic renewals shall be charged at that time.

