DEPARTMENT OF RESOURCE MANAGEMENT

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Solano County Zoning Administrator

Staff Report MU-23-02

| Application No. MU-23-02 Project Planner: JT Lee, Planning Technician | Meeting of May 18, 2023 Agenda Item No. 2 |
|--|--|
| Applicant Robert Henley 190 S. Orchard Ave. STE C250 Vacaville, CA 95688 | Property Owner Jeffrey Weiss 4355 Price Lane Vacaville, CA 95688 |

Action Requested

Consideration of Minor Land Use Permit application MU-23-02 to construct a 4,000 SF residential accessory structure located at 4355 Price Lane, 2.75 miles north of the City of Vacaville in the Rural Residential (RR-5) zoning district, APN 0105-030-920.

Property Information

| Size: 5 acres | Location: 4355 Price Lane |
|---|-----------------------------------|
| APN : 0105-030-920 | SRA Designation: Moderate |
| Zoning: Rural Residential (RR-5) | Land Use: Residential |
| General Plan: Rural Residential | Ag. Contract: n/a |
| Utilities: Private well and on-site septic system | Access: Price Lane (Private Road) |

Adjacent General Plan Designation, Zoning District, and Existing Land Use

| | General Plan | Zoning | Land Use |
|-------|-------------------|------------------------------|-------------|
| North | Agriculture | Exclusive Agriculture (A-20) | 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, New Construction or Conversion of Small Structures.

Motion to Approve

The Zoning Administrator does hereby **APPROVE** Use Permit No. MU-23-02 based on the enumerated findings and subject to the recommended conditions of approval contained in Attachment A.

BACKGROUND

An online building permit submission (B2022-1120) was received by the Planning Division on January 23, 2023, to construct a 4,000 SF metal building. Planning staff assessed that the proposed development would need to apply for a minor use permit as the structure was greater than the allowed 2,500 sq. ft. per Section 28.72.10(A) and (B)(1) of the Solano County Code. A Minor Use Permit application was received February 9, 2023.

The existing development consists of a primary dwelling built in 1976, a pool with an unknown construction date, a shop with an unknown construction date and a horse stable with an unknown construction date. The horse stable will be demolished to allow the new building to be built. Per Minor Subdivision MS-03-09, APN 0105-030-920 is a legal building site.



The subject property consists of 5 acres of land, fronting on Price Lane in unincorporated Solano County. The surrounding parcels are developed with residential dwellings and accessory structures.

PROJECT DESCRIPTION

The applicant has applied for a Minor Land Use permit to construct a 4,000 SF metal building to be used by the owners as a personal shop and art studio. The structure will be approximately 24 feet tall, 50 feet wide, and 80 feet long. The proposed structure will have two 14 ft. x 14 ft. metal roll-up doors. The proposed building will be utilized as an open space for an art studio which will include sculpting, painting, and upholstery. The shop side will include table saws, band saw, radial arm saw, planer, jointer, compressors, and hand power tools.

DEVELOPMENT STANDARDS

Structures such as workshops or storage sheds fall under accessory buildings regulations in the Zoning Code. Within the Rural Residential 5-acre zoning district a single accessory building 2,500 sq. ft. in size or multiple accessory buildings totaling more than 5,000 sq. ft., require Minor Use Permit approval prior to building permit approval or construction. Dwelling or living space do not count towards this standard.

There are several existing accessory structures on the property such as a pool, storage shed and shop that total approximately 1,000 sq. ft. These structures exist at the time of minor subdivision MS-03-09 (Ferdig) which split a 10-acre property into two parcels of 5 acres. The aggregate square footage of the accessory buildings including the proposed 4000 sq. ft. shop is approximately 5,000 sq. ft.

Accessory structures are subject to the Rural Residential accessory structure development standards, Table 28-31(C) of the Zoning Code.

| Setbacks: | Required | Proposed |
|--------------------|----------|----------|
| Front | 60 feet | 62 feet |
| Side | 10 feet | 56 feet |
| Rear | 10 feet | 194 feet |
| Between structures | 10 feet | >10 feet |

The proposed structure complies with the minimum setbacks required by the zoning district.

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-5) zoning district is consistent with this designation.

The subject site is zoned Rural Residential (RR-5). Within this district, accessory buildings over 2,500 sq. ft. are conditionally allowed subject to Section 28.72.10(A) and (B)(1) of the Solano County Code. These general requirements address setbacks, utilities, and use of the structure. The structure will be set back at least 10 feet from the side and rear property lines.

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. The proposed development would be an accessory to the use of a residence as it will be for a personal shop and art studio. The implementation of standard County conditions of approval would prevent the project from creating significant effects on the environment.

RECOMMENDATION

Staff recommends that the Zoning Administrator **ADOPT** the mandatory and suggested findings and **APPROVE** Use Permit No. MU-23-02, subject to the recommended conditions of approval contained in Attachment A.

Attachments

A - Draft Resolution

B – Proposed Site Plan

C – Assessors Map

SOLANO COUNTY ZONING ADMINISTRATOR RESOLUTION NO. 23-XX

WHEREAS, the Solano County Zoning Administrator has considered Minor Use Permit Application No. MU-23-02 of **Jeffery Weiss** to construct a 4,000 Sq. Ft. residential accessory structure located at 4355 Price Lane, 2.75 miles north of the City of Vacaville in the Rural Residential (RR-5) zoning district, APN 0105-030-920; 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 May 18, 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-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 provided with water by a private well, and sewer service by an on-site sewage disposal system. Access is provided via encroachment off Price 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.

4. 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.

BE IT THEREFORE RESOLVED that the Zoning Administrator has approved Minor Permit application MU-23-02 subject to the following conditions of approval:

General

- The residential accessory structure shall be established in accord with the application materials and development plans as submitted with MU-23-02 filed February 9, 2023, and as approved by the Solano County Zoning Administrator, and the plans submitted for Building Permit B2022-1120.
- 2. The residential accessory structure may be used for residential purposes such as storage or personal art studio consistent with the allowable uses in the Rural Residential zoning district. Any expanded uses including changes in land uses may require a revision to this use permit unless determined to be in substantial compliance with the approved minor use permit, as determined by the Department of Resource Management.
- 3. Retail sales or display of goods for sale shall not be permitted unless a Cottage Industries Use Permit pursuant to Section 28.72.40 of the County Code is approved and secured.
- 4. Construction of any additional accessory structures not described by the following will require a Minor Revision to this permit unless to be determined to be in substantial compliance with the approval, as determined by the Department of Resource Management:
 - (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.

Environmental Health

5. The installation of any plumbing fixtures into the proposed structure will require a tightline septic permit from Environmental Health to document the connection of the structure to the existing septic system onsite.

Public Works

6. 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.

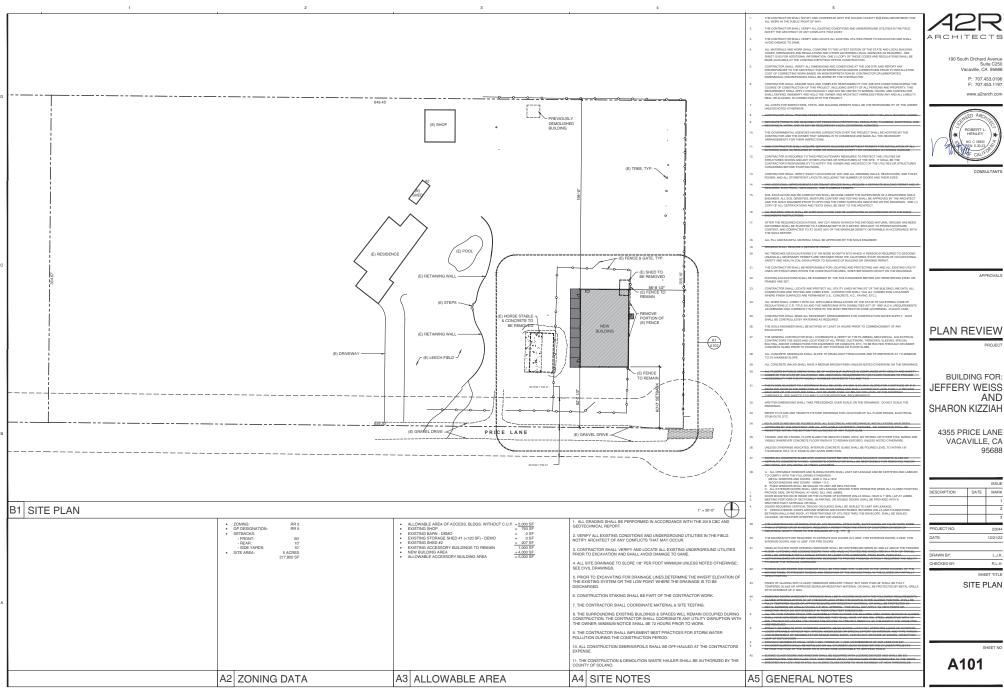
7. Applicant shall apply for, secure, and abide by the conditions of an encroachment permit for any work within the public right-of-way. Driveways must be maintained in such a manner as to prevent soil, rocks, and debris from tracking onto public roads.

| Public Works- Action Required: | When: | Date Completed: | Verified By: |
|--|--|-----------------|--------------|
| Obtain Grading Permit for any proposed new structure. | Within one year of permit issuance, and prior to starting construction for the specific project. | | |

I hereby certify that the foregoing resolution was adopted at the regular meeting of the Solano County Zoning Administrator on May 18, 2023.

Allan M. Calder, Planning Services Manager Resource Management

ATTACHMENT B



BUILDING FOR:

JEFFERY WEISS AND SHARON KIZZIAH

> VACAVILLE, CA 95688

| ISSUE | | |
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| CRIPTION | DATE | MARK |
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