

SOLANO COUNTY ZONING ADMINISTRATOR
Resource Management Staff Report

Application No. U-11-05
Project Planner: Eric Wilberg

Meeting of June 16, 2011
Agenda Item No. 3

Applicant:
 Name: Humberto & Teresa Gonzalez
 Address: 7550 Elizabeth Road
 Vacaville, CA 95688

Property Owner:
 Name: Same
 Address:

Action Requested: Approval of a land use permit for accessory structure square footage that exceeds the 2,500 square foot threshold.

Site Information:

Size: 3.65 acres

Location: Along Elizabeth Road, ~1 mile north of the City of Vacaville

APN: 0109-070-110

Zoning: Rural Residential 'RR 2.5'

Land Use Type: Residential

General Plan: Rural Residential

Ag. Contract: Not Applicable

Utilities: Private well and septic system

Access: Elizabeth Road

Adjacent General Plan Designations, Zoning and Existing Land Uses

	General Plan	Zoning	Land Use
North	Rural Residential	RR 2.5	Residential
South	Rural Residential	RR 2.5	Residential
East	Agriculture	A 40	Agriculture
West	Rural Residential	RR 2.5	Residential

Environmental Analysis: The project is exempt under CEQA Guidelines Section 15303, New Construction of Small Structures.

Motion to Approve: The Zoning Administrator does hereby **ADOPT** the attached draft resolution and **APPROVE** Use Permit No. U-11-05 subject to the recommended conditions of approval.

PROJECT DESCRIPTION

The applicant proposes to construct a 900 square foot detached, two car, enclosed garage. The proposed garage is an allowed residential use within the RR 2.5 zoning district, however a land use permit is required whenever the aggregate square footage of accessory structures exceeds 2,500 square feet on parcels less than 4 acres in size. Three additional accessory structures (storage sheds) exist on-site, totaling 3,696 square feet. The proposed 900 square foot garage will place aggregate accessory square footage well over the 2,500 square foot threshold for necessitating use permit approval. The applicant has filed building permit B2010-0534 for the proposed garage.

ANALYSIS

GENERAL PLAN

The General Plan Land Use Diagram (LU-1) identifies the property with a Rural Residential designation. The property is within the Rural Residential RR 2.5 zoning district and is consistent with the Solano County General Plan as seen of Table LU-7 (General Plan/ Zoning Consistency Table).

WILLIAMSON ACT

This parcel is not under a land conservation contract.

ZONING

Within the Rural Residential RR 2.5 zoning district, Section 28-50(b)(3) of the County Zoning Regulations provides that aggregate accessory structure square footage may exceed the 2,500 square foot threshold (parcels less than 4 acres) upon approval of a land use permit. As proposed under building permit application B2010-0534, the detached garage meets the minimum development standards for accessory buildings.

ENVIRONMENTAL ANALYSIS

Exempt from CEQA - The project is categorically exempt under CEQA Guidelines Section 15303(e), new construction of small structures.

CORRESPONDENCE

Comments were received from the Building & Safety and Public Works Divisions of this Department. The recommended conditions of approval have been incorporated herein.

USE PERMIT MANDATORY FINDINGS

1. That the establishment, maintenance or operation of the use applied for 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.

The construction of a two car, enclosed garage is consistent with the goals, objectives, and policies of the Land Use Chapter of the Solano County General Plan. The garage is a residential accessory structure, incidental to the single family dwelling on-site.

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

The project site is accessible by Elizabeth Road. Private water well and septic system serve the property.

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.

Based on the documents submitted and reviewed by County staff, staff site inspection, and due to the lack of complaints on file with the Department of Resource Management as of May 2011, the proposed land use does not constitute a nuisance nor is it detrimental to the health, safety, peace, morals, comfort or general welfare of persons residing or working in or passing through the neighborhood, nor is it detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the County of Solano.

RECOMMENDATION

If after the public hearing the Zoning Administrator concludes the findings and recommended conditions (or as may be amended) are suitable, staff recommends the Zoning Administrator **ADOPT** the mandatory findings, and **APPROVE** land use permit application U-11-05.

CONDITIONS OF APPROVAL

General

1. The proposed 900 sq. ft. detached garage shall be established in accord with the development permit application and site plan for U-11-05, on file with the Planning Services Division 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. No additional accessory uses, new or expanded buildings shall be established or constructed beyond those identified on the approved plot plan without prior approval of a new permit or minor revision to the use permit and potentially subject to further environmental analysis.
4. 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 of this permit, June 16, 2011. Prior to each five (5) year compliance review, the applicant shall submit a written report verifying how the project is in compliance with the use permit conditions of approval, along with any other application materials that may be required at that time.

Building & Safety Division

5. Prior to any construction or improvements taking place, a Building Permit Application shall first be submitted as per Section 105 of the 2007 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.”**
6. A separate permit will be required for any site improvements including but not limited to any grading.
7. A geotechnical/Soils Report will be required.
8. The building permit plans shall include a code analysis as listed below and if plans are submitted prior to January 1, 2011, the design shall be under the 2007 California Codes and all current rules, regulations, laws and ordinances of the local, state and federal requirements. If plans are submitted after January 1, 2011, the design shall be as per the building codes enforced at the time of building permit application. Upon building permit submittal, the licensed architect shall provide a code analysis for each building or structure such as:
 - A) Occupancy Classification
 - B) Type of Construction
 - C) Seismic Zone
 - D) Location on Property
 - E) Height of all buildings and structures
 - F) Square footage
 - G) Occupant Load
 - H) Allowable Floor Area
 - I) Height and Number of Stories

9. Plans and Specifications shall meet the requirements as per Section 106.1 of the 2007 California Building Code, or the most current edition of the code enforced at the time of building permit application. **“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 in 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.”** Also Section 106.1.1; **“Construction documents shall be dimensioned and drawn upon substantial material. Electronic media documents are permitted when 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.”**

10. The fire district will reassess the site for fire life and safety requirements.

Attachments

- Exhibit A: Resolution
- Exhibit B: Assessor's Parcel Map
- Exhibit C: Site Plan

**SOLANO COUNTY ZONING ADMINISTRATOR
RESOLUTION NO. XX**

WHEREAS, the Solano County Zoning Administrator has considered Use Permit Application No. U-11-05 of **Humberto & Teresa Gonzalez** for aggregate accessory structure square footage to exceed 2,500 square feet on property located at 7550 Elizabeth Road, 1 mile north of the City of Vacaville in an "RR-2 1/2" Rural Residential Zoning District, APN: 0109-070-110, 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 June 16, 2011, 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 applied for 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.**

The construction of a two car, enclosed garage is consistent with the goals, objectives, and policies of the Land Use Chapter of the Solano County General Plan. The garage is a residential accessory structure, incidental to the single family dwelling on-site.

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

The project site is accessible by Elizabeth Road. Private water well and septic system serve the property.

- 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.**

Based on the documents submitted and reviewed by County staff, staff site inspection, and due to the lack of complaints on file with the Department of Resource Management as of May 2011, the proposed land use does not constitute a nuisance nor is it detrimental to the health, safety, peace, morals, comfort or general welfare of persons residing or working in or passing through the neighborhood, nor is it detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the County of Solano.

BE IT THEREFORE RESOLVED, that the Zoning Administrator has approved Use Permit Application No. U-11-05 subject to the following recommended conditions of approval:

General

1. The proposed 900 sq. ft. detached garage shall be established in accord with the development permit application and site plan for U-11-05, on file with the Planning Services Division 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. No additional accessory uses, new or expanded buildings shall be established or constructed beyond those identified on the approved plot plan without prior approval of a new permit or minor revision to the use permit and potentially subject to further environmental analysis.
4. 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 of this permit, June 16, 2011. Prior to each five (5) year compliance review, the applicant shall submit a written report verifying how the project is in compliance with the use permit conditions of approval, along with any other application materials that may be required at that time.

Building & Safety Division

5. Prior to any construction or improvements taking place, a Building Permit Application shall first be submitted as per Section 105 of the 2007 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.”**
6. A separate permit will be required for any site improvements including but not limited to any grading.
7. A geotechnical/Soils Report will be required.
8. The building permit plans shall include a code analysis as listed below and if plans are submitted prior to January 1, 2011, the design shall be under the 2007 California Codes and all current rules, regulations, laws and ordinances of the local, state and federal requirements. If plans are submitted after January 1, 2011, the design shall be as per the building codes enforced at the time of building permit application. Upon building permit submittal, the licensed architect shall provide a code analysis for each building or structure such as:

- A) Occupancy Classification

- B) Type of Construction
- C) Seismic Zone
- D) Location on Property
- E) Height of all buildings and structures
- F) Square footage
- G) Occupant Load
- H) Allowable Floor Area
- I) Height and Number of Stories

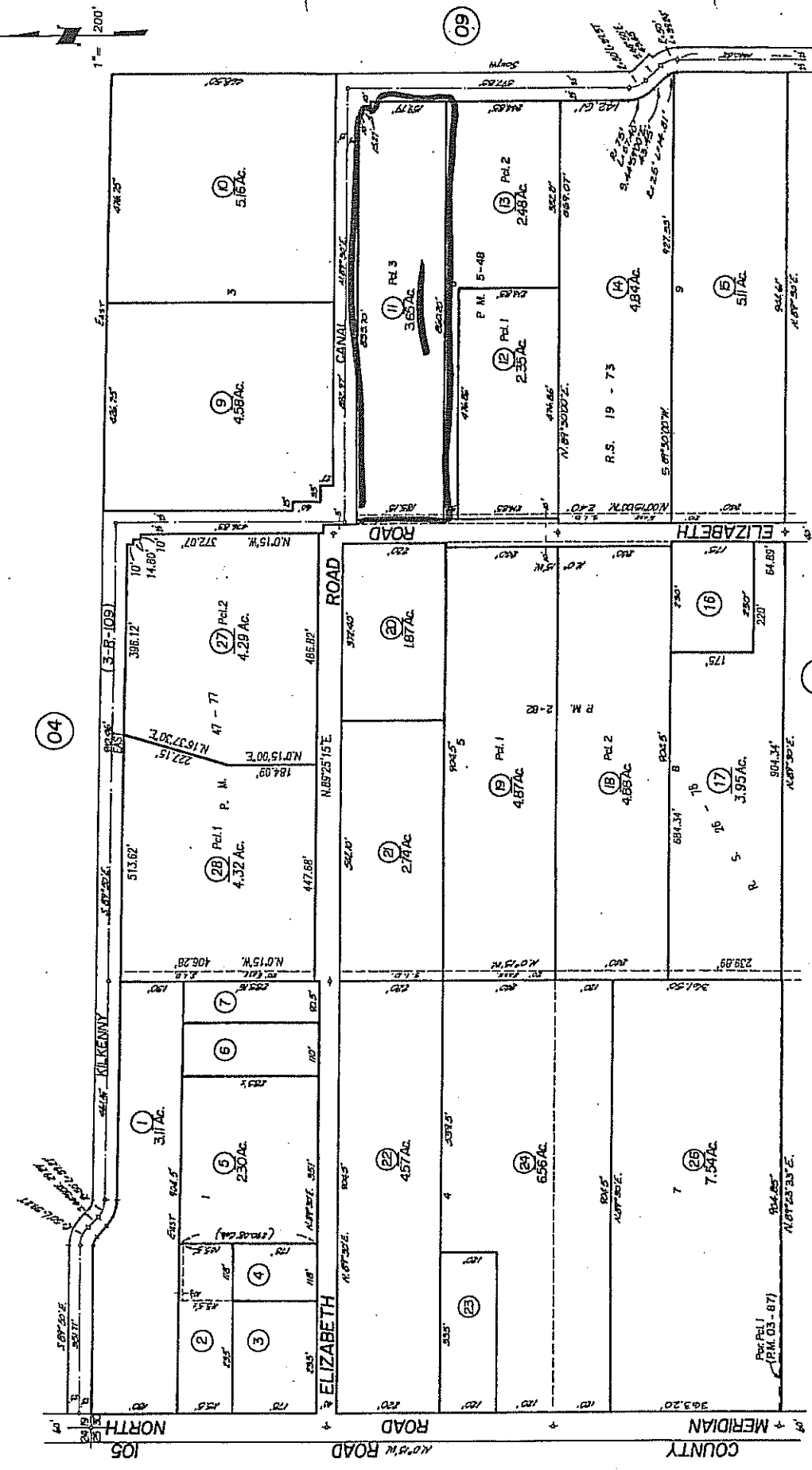
9. Plans and Specifications shall meet the requirements as per Section 106.1 of the 2007 California Building Code, or the most current edition of the code enforced at the time of building permit application. **“Construction documents, statement of special inspections and other data shall be submitted 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 in 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.”** Also Section 106.1.1; **“Construction documents shall be dimensioned and drawn upon substantial material. Electronic media documents are permitted when 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.”**

10. The fire district will reassess the site for fire life and safety requirements.

I hereby certify that the foregoing resolution was adopted at the regular meeting of the Solano County Zoning Administrator on June 16, 2011.

BILL EMLÉN, DIRECTOR
RESOURCE MANAGEMENT

Michael Yankovich
Planning Program Manager



Assessor's Map Bk. 109 Pg. 07
County of Solano, Calif.

REVISION	DATE	BY
070-27-28	5-16-06	LR
070-17 (06)	2-28-05	SE
070-16&17 Chg.(06)	4-03-03	SE
070-26	2-28-97	S.S.

NOTE: Assessor's Block Numbers Shown in Ellipses
Assessor's Parcel Numbers Shown in Circles

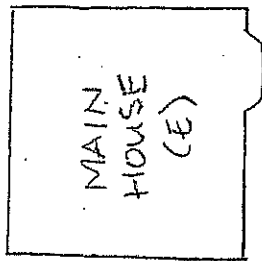
Elisworth Colony - R.M. Bk. 3, Pg. 15

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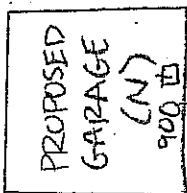
Bk. 106

ELIZABETH ROAD

10'
STORAGE SHED 12'



DRIVEWAY



RESOURCE MANAGEMENT
BUILDING DIVISION

JAN 07 2011

RECEIVED BY

B10-0534

7550 Elizabeth Rd
Vacaville, CA 95688

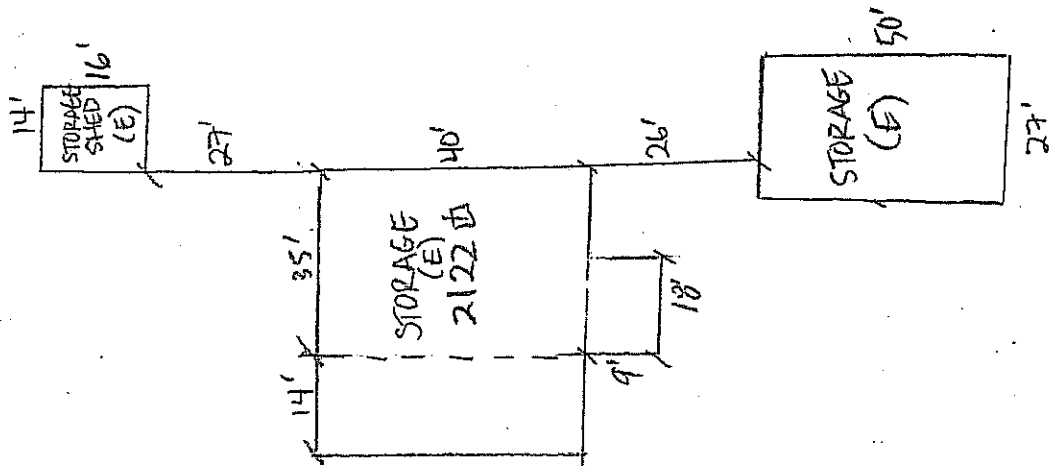


Exhibit C