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DEPARTMENT OF RESOURCE MANAGEMENT



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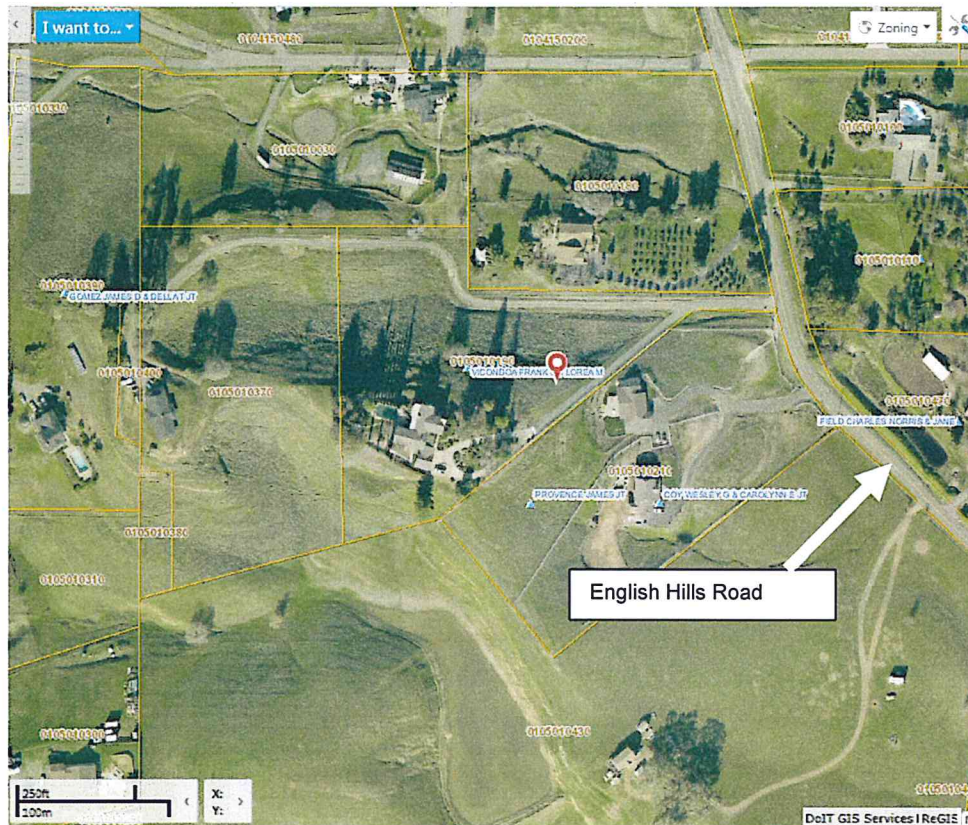
Planning Services Division

SOLANO COUNTY ZONING ADMINISTRATOR

**Staff Report
Vicondoa Minor Use Permit**

Application No. MU-16-05 Project Planner: Nedzlene Ferrario		Meeting of March 16, 2017 Agenda Item No. 6	
Applicant: Frank James Vicondoa 7815 English Hills Road Vacaville, CA 95688		Property Owner: Same as owner	
Action Requested Minor Use Permit approval for a Cottage Industry, specifically a painting contractor business, in the Rural Residential 5 acre minimum zoning district (RR-5).			
Property Information			
Size: 5 acres		Location: 7815 English Hills Road	
APNs: 0105-010-190			
Zoning: RR-5		Land Use: Residential	
General Plan: Rural Residential		Ag. Contract: None	
Utilities: well and septic		Access: English Hills	
Adjacent General Plan Designation, Zoning District, and Existing Land Use			
	General Plan	Zoning	Land Use
North	Rural Residential	RR-5	Residential
South	Rural Residential	A-20	Residential
East	Rural Residential	RR2.5	Residential
West	Rural Residential	RR-5	Residential
Environmental Analysis The project qualifies for a Categorical Exemption from the California Environmental Quality Act pursuant to CEQA Guidelines Section 15303, New Construction of Small Structures.			
Motion to Approve The Zoning Administrator does hereby ADOPT the attached resolution and APPROVE the Minor Use Permit MU-16-05 subject to the recommended conditions of approval			

PROJECT LOCATION:



PROJECT DESCRIPTION

The applicant proposes to declare his business, Vicondoa Painting LLC, at his residence. A 1,000 square foot accessory building is proposed, located northeast of the existing main residence, and currently under building permit review. Approximately, 500 square feet of the building will be used for the office and storage of equipment for his business. The remainder of the building will be used for storage of equipment associated with the residence. Two employees are proposed and no vehicles associated with the business will be parked on-site.

LAND USE ANALYSIS:

Small scale home based businesses in the Rural Residential Districts fall under the Cottage Industry land use type per the Zoning Code. There are two classes of Cottage Industry, Cottage Industry – Limited and General. Vicondoa Painting qualifies as Cottage Industry Limited.

Cottage Industries are small scale home based businesses that are conducted primarily by the residence family and incidental in character to the residential use. The cottage industry shall not cause a nuisance in terms of noise, odors, smoke, vibrations or other nuisances to a degree greater than that normal for the neighborhood. The conduct of the cottage industries shall not prevent the use of the required garage or parking spaces for vehicles on a daily basis. Direct access to a public road shall be provided and all aspects of the cottage industry shall be located and conducted within an enclosed building and outdoor storage of materials shall be screened from the street and adjoining properties.

Section 28.72.40(B)(1) of the Zoning Code establishes Cottage Industry-Limited regulations regarding minimum lot size, maximum square footage, parking, signage, hours of operation and service vehicles. The proposed business conforms to the Cottage Industry – Limited regulations.

On February 1, 2017, the Development Review Committee reviewed the subject proposal and determined that no additional conditions of approval are recommended, beyond those recommended below.

ENVIRONMENTAL ANALYSIS (CEQA):

The project qualifies for a Categorical Exemption from the California Environmental Quality Act pursuant to CEQA Guidelines Section 15303, New Construction of Small Structures. Class 3 consists of construction and location of limited numbers of new, small facilities or structures. The Guidelines indicate that land uses which do not involve the use of significant amounts of hazardous substances, and do not exceed 2,500 square feet in floor area qualify for this exemption. The project meets these guidelines.

RECOMMENDATION:

The Department recommends that the Zoning Administrator ADOPT the enumerated findings, and APPROVE Minor Use Permit No. MU-16-05, subject to the recommended conditions of approval.

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 painting company is a small scale home based business consistent with the zoning district and no policy conflicts have been identified.

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

Access driveways are provided. Water wells and waste disposal and septic systems are provided.

- 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 home based business is in keeping with the rural residential neighborhood. The office and storage of equipment associated with the business will be contained within an accessory building. Employees will be reporting off-site and conditions are included to ensure that the painting business will not cause a nuisance or affect public health or safety.

ADDITIONAL FINDINGS

- 4. The project qualifies for a Categorical Exemption from the California Environmental Quality Act pursuant to CEQA Guidelines Section 15303, New Construction of Small Structures. Class 3 consists of construction and location of limited numbers of new, small facilities or structures. The Guidelines indicate that land uses which do not involve**

the use of significant amounts of hazardous substances, and do not exceed 2,500 square feet in floor area qualify for this exemption.

CONDITIONS OF APPROVAL

1. Approval is hereby granted to operate a painting contractor business known as Vicondoa Painting LLC at 7815 English Hills Road consistent with the Cottage Industry – Limited regulations of the Solano County Zoning Code (Section 28.72.40 (B) in accord with the plans submitted on May 9, 2016, and approved by Solano County subject to any revisions required by the conditions of approval below.
2. The subject use permit shall be in effect for a five (5) year period. An extension may be granted if said request is received prior to the expiration date of March 16, 2022 and the use is found to be in full compliance with the terms and conditions of this permit at that time. The applicant shall submit a "Report of Compliance" to the Resource Management Department, along with applicable "Periodic Review and Written Report fees", on the fifth (5th) anniversary of the issuance of this permit for review by the staff. The "Report of Compliance" shall address compliance of conditions no. 3 through 10.
3. Obtain a business license for the painting contractor's business prior to final occupancy of the accessory building.
4. Vicondoa Painting shall be operated by the resident-occupant of the primary dwelling.
5. The maximum area devoted to Vicondoa office space, product and equipment storage shall not exceed 1000 square feet.
6. No more than 2 employees may be employed in addition to members of the family residing on the premises. This limitation applies to all employees who report to work at this location and work primarily at off-site locations.
7. Hours of operation are between 8 am to 5 pm Monday to Friday.
8. No more than one (1) non-illuminated sign not exceeding four (4) square feet may be installed on the property.
9. One work vehicle belonging to the operator and 2 personal employee vehicles may be parked in public view.
10. Prior to any construction or improvements taking place, a Building Permit Application shall first be submitted as per Section 105 of the 2010 California Building Code. **"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."**

Attachments:

Site Plan & Floor Plan

