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**DEPARTMENT OF RESOURCE MANAGEMENT**



**SOLANO  
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Planning Services Division

**SOLANO COUNTY ZONING ADMINISTRATOR**

**Staff Report**

**MU-18-03**

<b>Application No.</b> MU-18-03 (Brown)		<b>Meeting of March 21, 2019</b>	
<b>Project Planner:</b> Travis Kroger, Planning Technician		<b>Agenda Item No. 3</b>	
<b>Applicant</b> Steven and Lori Brown 4730 Esquivel Road Vacaville, CA 95688		<b>Property Owner</b> Steven and Lori Brown 4730 Esquivel Road Vacaville, CA 95688	
<b>Action Requested</b> Consideration of Minor Land Use Permit application MU-18-03 to construct an 1800 square foot residential accessory storage structure on a 1.92 acre parcel resulting in 2640 square feet of total accessory structure area.			
<b>Property Information</b>			
Size: 1.92 ac. (total)		Location: 4730 Esquivel Road	
APN: 0106-120-100			
Zoning: Rural Residential (RR-2.5)		Land Use: Residential accessory structure over 2500 square feet	
General Plan: Rural Residential		Ag. Contract: n/a	
Utilities: Residential well and on-site septic system		Access: Esquivel Road	
<b>Adjacent General Plan Designation, Zoning District, and Existing Land Use</b>			
	<b>General Plan</b>	<b>Zoning</b>	<b>Land Use</b>
<b>North</b>	Rural Residential	Rural Residential (RR-2.5)	Residential
<b>South</b>	Rural Residential	Rural Residential (RR-2.5)	Residential
<b>East</b>	Rural Residential	Rural Residential (RR-2.5)	Vacant Land
<b>West</b>	Rural Residential	Rural Residential (RR-2.5)	Residential
<b>Environmental Analysis</b> The project qualifies for a Class I Categorical Exemption from the California Environmental Quality Act pursuant to CEQA Guidelines Section 15303, New Construction or Conversion of Small Structures.			
<b>Motion to Approve</b> The Zoning Administrator does hereby ADOPT the attached resolution and APPROVE Use Permit No. MU-18-03 based on the enumerated findings and subject to the recommended conditions of approval.			

## **BACKGROUND**

The existing development on this parcel consists of primary dwelling, which assessors records indicate was built in 1972, and an 840 square foot accessory structure. Neither structure has any building permit records on file with Solano County. This parcel was created by Land Division LD-326.

## **SETTING**

The subject property consists of 1.92 acres of land, fronting on Esquivel and Paddon Road in unincorporated Solano County. The surrounding parcels are developed with residential structures.

## **PROJECT DESCRIPTION**

The applicant has applied for a Minor Land Use permit to construct an 1800 square foot residential accessory structure for storage of personal items belonging to the residents of the parcel.

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

## **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, accessory buildings with a combined area of over 2,500 square feet are 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. No electrical service or plumbing are proposed as part of this project, the primary dwelling will be served by a residential water 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 15303, New Construction or Conversion of Small Structures.

Aerial images show that the parcel has remained vacant and undeveloped until late 2016, and has since been developed with a driveway and a residence which is currently under construction.

## **RECOMMENDATION**

Staff recommends that the Zoning Administrator **ADOPT** the mandatory and suggested findings, and **APPROVE** Use Permit No. MU-18-03, 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.

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 (RR-2.5) 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 the Solano Irrigation District and sewer service by an on-site sewage disposal system. Access is proposed via encroachment off Esquivel 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 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.

#### **ADDITIONAL FINDINGS**

4. The project qualifies for a Class I Categorical Exemption from the California Environmental Quality Act pursuant to CEQA Guidelines Section 15303, New Construction or Conversion of Small Structures.

#### **CONDITIONS OF APPROVAL**

##### **General**

1. The above use shall be established in accord with the application materials and development plans as submitted with MU-18-03 filed July 27, 2018 and as approved by the Solano County Zoning Administrator.
2. This structure will only be used for parking and storage by the occupant of the primary residence. Any change of use, expansion, or construction of additional accessory structures may require a revision to this permit or a new permit.

##### **Building and Safety Division**

3. 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.
4. The Building and any site improvements shall be designed using the 2016 California Building Standards Codes including the mandatory measures found in the new 2016 California Green Building Code, Chapter(s) 1, 2, 3, 5, 6, 7, 8, and A5 for Voluntary Measures.
5. Prior to any construction or improvements taking place, a Building Permit Application shall first be submitted as per the 2016 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. Plans and Specifications shall meet the requirements as per Section 105 of the 2016 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 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.” 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.”
7. The fire district will reassess the site for fire life and safety requirements.

**Public Works Division**

8. No Conditions

**Environmental Health Division**

9. The Environmental Health Division has no objection and no Conditions of Approval for MU-18-03.

**Permit Term**

10. 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 this permit. The cost associated with the periodic reviews shall be charged at that time.

**Attachments**

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

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

**WHEREAS**, the Solano County Zoning Administrator has considered Minor Use Permit Application No. MU-18-03 of **Steven Brown** to construct a 60' x 30' metal building for residential storage use. The property is located at 4730 Esquivel Road, 0.8 miles north of the City of Vacaville within the Rural Residential "RR-2.5" Zoning District, APN: 0106-120-100, 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 March 21, 2019, 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 (RR-2.5) 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 the Solano Irrigation District and sewer service by an on-site sewage disposal system. Access is proposed via encroachment off Esquivel 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 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 Class I Categorical Exemption from the California Environmental Quality Act pursuant to CEQA Guidelines Section 15303, New Construction or Conversion of Small Structures.

**BE IT THEREFORE RESOLVED**, that the Zoning Administrator has approved Minor Use Permit Application No. MU-18-03 subject to the following recommended conditions of approval:

**General**

1. The above use shall be established in accord with the application materials and development plans as submitted with MU-18-03 filed July 27, 2018 and as approved by the Solano County Zoning Administrator.
2. This structure will only be used for parking and storage by the occupant of the primary residence. Any change of use, expansion, or construction of additional accessory structures may require a revision to this permit or a new permit.

**Building and Safety Division**

3. 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.
4. The Building and any site improvements shall be designed using the 2016 California Building Standards Codes including the mandatory measures found in the new 2016 California Green Building Code, Chapter(s) 1, 2, 3, 5, 6, 7, 8, and A5 for Voluntary Measures.
5. Prior to any construction or improvements taking place, a Building Permit Application shall first be submitted as per the 2016 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. Plans and Specifications shall meet the requirements as per Section 105 of the 2016 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 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.”** 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.”**

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

**Public Works Division**

8. No Conditions

**Environmental Health Division**

9. The Environmental Health Division has no objection and no Conditions of Approval for MU-18-03.

**Permit Term**

10. 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 this permit. The cost associated with the periodic reviews shall be charged at that time.

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I hereby certify that the foregoing resolution was adopted at the regular meeting of the Solano County Zoning Administrator on March 21, 2019.

BILL EMLLEN, DIRECTOR  
RESOURCE MANAGEMENT

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Michael Yankovich  
Planning Program Manager

