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DEPARTMENT OF RESOURCE MANAGEMENT



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Planning Services Division

SOLANO COUNTY Planning Commission

**Staff Report
MU-20-09**

Application No. MU-20-09 (Scarrott) Project Planner: Travis Kroger, Planning Technician		Meeting of September 17, 2020 Agenda Item No. 1	
Applicant Joseph Scarrott 7517 Elizabeth Road Vacaville CA 95688		Property Owner Joseph Scarrott 7517 Elizabeth Road Vacaville CA 95688	
Action Requested Consideration of Minor Land Use Permit application MU-20-09 to construct a 2,400 square foot residential accessory storage structure resulting in accessory buildings in aggregate over 2,500 square feet on a 0.92-acre parcel.			
Property Information			
Size: 0.92 ac. (total)		Location: 7517 Elizabeth Road	
APN: 0109-070-160			
Zoning: Rural Residential (RR-2.5)		Land Use: Residential accessory structure in aggregate over 2,500 square feet	
General Plan: Rural Residential		Ag. Contract: n/a	
Utilities: private well and on-site septic system		Access: Elizabeth Road	
Adjacent General Plan Designation, Zoning District, and Existing Land Use			
	General Plan	Zoning	Land Use
North	Rural Residential	Rural Residential (RR-2.5)	Residential
South	Rural Residential	Rural Residential (RR-2.5)	Residential
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 15303, New Construction or Conversion of Small Structures.			
Motion to Approve The Zoning Administrator does hereby ADOPT the attached resolution and APPROVE Use Permit No. MU-20-09 based on the enumerated findings and subject to the recommended conditions of approval.			

BACKGROUND

The existing development on this parcel consists of a 1,489 square foot residence listed by the assessors records as having been constructed in 1940, a 480 square foot detached garage, and 4 smaller accessory structures, 3 of which are under 120 square feet. Certificate of Compliance CC-03-21 was recorded December 12, 2004 to verify that this is a legal building site.

SETTING

The subject property consists of 0.92 acres of land, fronting on Elizabeth 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 a new residential accessory structure with 40 x 40 feet enclosed area and 20 x 40 feet roof only for boat, motorcycle and RV parking, which will result in over 2,500 square feet of accessory structures in aggregate.

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

Neighborhood Compatibility

An aerial survey shows that most surrounding parcels in the area have similar existing accessory structures. This parcel is smaller than most other parcels in the vicinity, but construction of the proposed structure will not create any negative visual 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, accessory buildings over 2,500 square feet in aggregate on parcels less than 4 acres 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 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 15303, New Construction or Conversion of Small Structures.

Aerial images show that the parcel is currently developed with a residence, detached garage and 4 smaller accessory structures.

RECOMMENDATION

Staff recommends that the Zoning Administrator **ADOPT** the mandatory and suggested findings and **APPROVE** Use Permit No. MU-20-09, 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 a private well and sewer service by an on-site sewage disposal system. Access is proposed via encroachment off Elizabeth 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-20-09 filed June 23, 2020 and as approved by the Solano County Zoning Administrator and Building Permit B2020-0313; and
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.

3. Prior to final inspection of B2020-0313, the applicant shall obtain a Building Permit for the existing 165 square foot accessory structure if such is deemed necessary by the Solano County Building Official or remove the structure from the parcel.

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

Public Works Division

9. The existing wooden bridge / driveway within the right of way shall be removed.
10. Applicant 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, private access improvements, parking areas and walkways, as well as any onsite grading exceeding a total of 5,000 square feet.

11. 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.

Environmental Health Division

12. The building will be placed to avoid the designated leach field replacement area as mapped by Campi Engineering, map dated 7/23/2014.

Permit Term

13. 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. 20-XX

WHEREAS, the Solano County Zoning Administrator has considered Minor Land Use permit application MU-20-09 for a new 2,400 square foot accessory structure with 1600 square feet enclosed area and 800 square feet roof only for use as residential storage located at 7517 Elizabeth Road, 0.75 miles north of the City of Vacaville in the Rural Residential (RR-2.5) zoning district, APN 0109-070-160.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 September 17, 2020, 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 a private well and sewer service by an on-site sewage disposal system. Access is proposed via encroachment off Elizabeth 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.

BE IT THEREFORE RESOLVED, that the Zoning Administrator has approved MU-20-09 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 September 17, 2020.

Allan Calder, Planning Manager
Zoning Administrator
Resource Management

ATTACHMENT A: CONDITIONS OF APPROVAL – MU-20-09

General

1. The above use shall be established in accord with the application materials and development plans as submitted with MU-20-09 filed June 23, 2020 and as approved by the Solano County Zoning Administrator and Building Permit B2020-0313;
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; and
3. The applicant shall obtain a Building Permit for the existing 165 square foot accessory structure within one year of issuance of this Minor Use permit if such is deemed necessary by the Solano County Building Official.

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. 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 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.”

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

Public Works Division

9. The existing wooden bridge / driveway within the right of way shall be removed.
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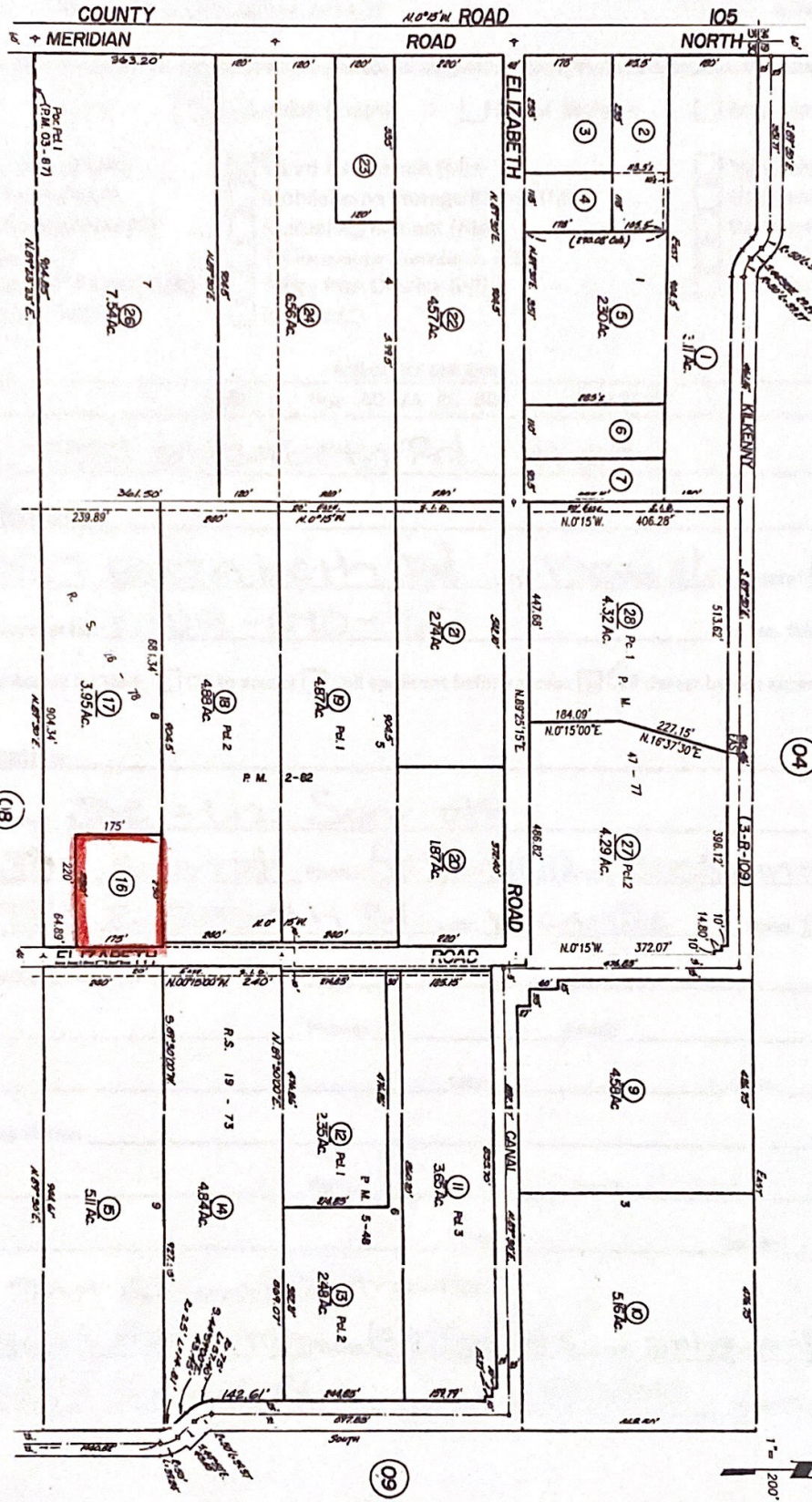
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Bk 106



Elsworth Colony - R.M. Bl. 3, Pg. 15

070-27828	5-16-06	CR
070-17 (B)	2-28-05	SE
070-18417	09 (B) 12-4-03	SE
070-26	2-28-91	SS
REVISION	DATE	BY

(18)

N.Y.E. Assessor's Block Numbers Shown in Ellipses
 Assessor's Parcel Numbers Shown in Circles

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

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11/15/2006

FOR SEC. 30, T.7N., R.1E., M.D.B. & M.

Tax Area Code
63025

109-07

