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DEPARTMENT OF RESOURCE MANAGEMENT



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Planning Services Division

SOLANO COUNTY ZONING ADMINISTRATOR

Staff Report
 MU-20-07

Application No. MU-20-07 (Calascio Concrete) Project Planner: Cheryl Whitfield, Senior Planner		Meeting of December 17, 2020 Agenda Item No. 1	
Applicant Michael & Alisha Bartolomucci 7538 Timm Road Vacaville, CA 95688		Property Owner Michael & Alisha Bartolomucci 7538 Timm Road Vacaville, CA 95688	
Action Requested Consideration of Minor Land Use Permit application MU-20-07 to permit the storage of concrete company vehicles upon an existing residentially-zoned property. Located at 7538 Timm Road in unincorporated Vacaville. (RR-2.5) Rural Residential zoning district on parcel APN 0106-110-020.			
Property Information			
Size: 4.55 acres		Location: 7538 Timm Road	
APN: 0106-110-020			
Zoning: Rural Residential (RR-2.5)		Land Use: Residential	
General Plan: Rural Residential		Ag. Contract: n/a	
Utilities: Existing well and septic system		Access: Timm Road	
Adjacent General Plan Designation, Zoning District, and Existing Land Use			
	General Plan	Zoning	Land Use
North	Rural Residential	RR-2.5	Agriculture
South	Rural Residential	RR-2.5	Homestead & Ag
East	Rural Residential	RR-2.5	Homestead
West	Rural Residential	A-20	Agriculture
Environmental Analysis The project qualifies for a Class I Categorical Exemption from the California Environmental Quality Act pursuant to CEQA Guidelines Section 15301, Existing Facilities.			
Motion to Approve The Zoning Administrator does hereby ADOPT the attached resolution and APPROVE Use Permit No. MU-20-07 based on the enumerated findings and subject to the recommended conditions of approval.			

BACKGROUND

The 4.55 acre rural residentially-zoned site contains a 1,604 sq. ft. detached single family house occupied by the applicant, a detached garage, a horse paddock, and various barns for personal use involving horses and livestock as well as business use. The open pasture is used for livestock. Access on-site consists of gravel driveways. The site is served by a private septic system and a private well. The applicant operates a California State Licensed residential and light commercial concrete construction company and stores company vehicles on the property. No business-related operations occur on the property. The intent of the Minor Use Permit application is to designate specific areas for the location of company vehicles, while expanding other buildings for personal use. The applicant proposes to replace the existing garage with a larger garage, subject to a separate building permit.

SETTING

The subject property consists of 4.55 acres of land and is an area devoted to agricultural service uses. The site is directly accessed directly from Timm Road via a private driveway. The proximate 505 Freeway to the east is accessed via Midway Road to the south. The surrounding area contains similar sized 5-acre parcels to the south and east, and larger parcels to the north and west. The surrounding parcels contain agricultural crops.



PROJECT DESCRIPTION

The application is for a Minor Use Permit for a site located in the RR-2.5 zoning area and is subject to the standards of a Cottage Industry Type 1 - Limited, per **Table 28.31A** of the Zoning Regulations. The Minor Use Permit requests to store company vehicles on-site when they are not in use.

Accordingly, Zoning Regulations **Section 28.72.40.c.2.**, states:

“The total area occupied by the cottage industry, including storage, shall not exceed one thousand five hundred (1,500) square feet.”

The applicant proposes to dedicate specific areas on the property for the exclusive use of the construction company. The Zoning Regulations states that the total square footage of the area for exclusive use by a business shall not exceed 1,500 square feet.

In total, the site currently consists of the following structures:

- 1,604 detached single-family house in which the applicant resides
- A 576 sq. ft. garage that is proposed to be demolished and replaced with a 1760 sq. ft. garage
- A 576 sq. ft. red barn is for personal use livestock
- A 960 sq. ft. concrete slab
- A 1,728 sq. ft. horse barn

The areas on site dedicated for use of the construction company, are proposed as follows:

- Parking of business vehicles on an existing 960 sq. ft. concrete slab
- Existing Red Barn consisting of 576 sq. ft., of which 306 sq. ft. will be used for the business
- Total square footage proposed to be used on site by the business is 1,266 sq. ft.

The project proposal therefore meets the criteria of the Zoning Regulations which states a maximum of 1,500 sq. ft. of on-site area is allowed for use of a business.

Zoning Regulations Section 28.72.40.c.6 states – *A maximum of three large vehicles and one trailer per large vehicle may be kept on the property in connection with a cottage industry. Large vehicles are defined as having a gross vehicle weight rating (GVWR) in excess of 14,000 pounds. Such vehicles may only be stored in an enclosed building in connection with a cottage industry. Storage of vehicles shall be counted as part of the square footage of a cottage industry.*

The applicant proposes parking for an 8,846 lb. GVWR truck, a trailer, and equipment, upon the 18x32 slab and 30x32 slab. The above code section defines large vehicles of GVWR in excess of 14,000 pounds be stored in an enclosed garage. The applicant states that the proposed company vehicles to be stored on-site, are less than GVWR 14,000 pounds. Therefore, the company vehicles may be stored both in the proposed barn area as well as upon the existing 30'x32' exterior slab and still be consistent with code.

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-5) the Rural Residential (RR-2.5) Zoning District is consistent with this designation.

ENVIRONMENTAL ANALYSIS

The project qualifies for a Class I Categorical Exemption from the California Environmental Quality Act pursuant to CEQA Guidelines Section 15301, Existing Facilities.

RECOMMENDATION

Staff recommends that the Zoning Administrator **ADOPT** the mandatory and suggested findings, and **APPROVE** Use Permit No. MU-20-07, 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 permitted with a Minor Use Permit 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 and sewer service by an on-site well and on-site sewage disposal system. Access is provided via Timm 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 Cottage Industry Limited 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 15301, Existing Facilities.**

CONDITIONS OF APPROVAL

General

1. The above use shall be established in accord with the application materials and development plans as submitted with MU-20-07 filed April 20, 2020, and plans labeled Exhibits A, B, C, and D, stamped as received on June 29, 2020.
2. Any modifications to the business and existing development or construction of any new structures may require approval of a Minor Revision to this permit prior to issuance of a Building Permit.

Public Works Engineering Division

3. 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.
4. 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

5. The leach field and leach field replacement area shall be protected from vehicle traffic and / or heavy equipment which could compact and damage the soil infiltrative capacity and could physically damage the leach field piping requiring a permitted repair. At such time the existing leach field fails and no longer accepts effluent, the replacement of the existing leach field may require additional treatment technology or other engineering mitigation if restrictive soil types are discovered during the repair permit process.

Permit Term

6. As provided for in Section 28.106.N. of the County Code, the Department of Resource Management shall verify ongoing compliance with the terms and conditions of this permit through a program of periodic renewals 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 – Assessor’s Parcel Map
- B – Exhibits A, B, C, and D
- C – Draft Resolution

RANCHO LOS PUTOS

Bk. 105

N0°50'E

(CO. RD.

R. S. NO. 271)

ROAD - 95

BDRY. LINE

Assessor's Block Numbers Shown in Ellipses, Assessor's Parcel Numbers Shown in Circles

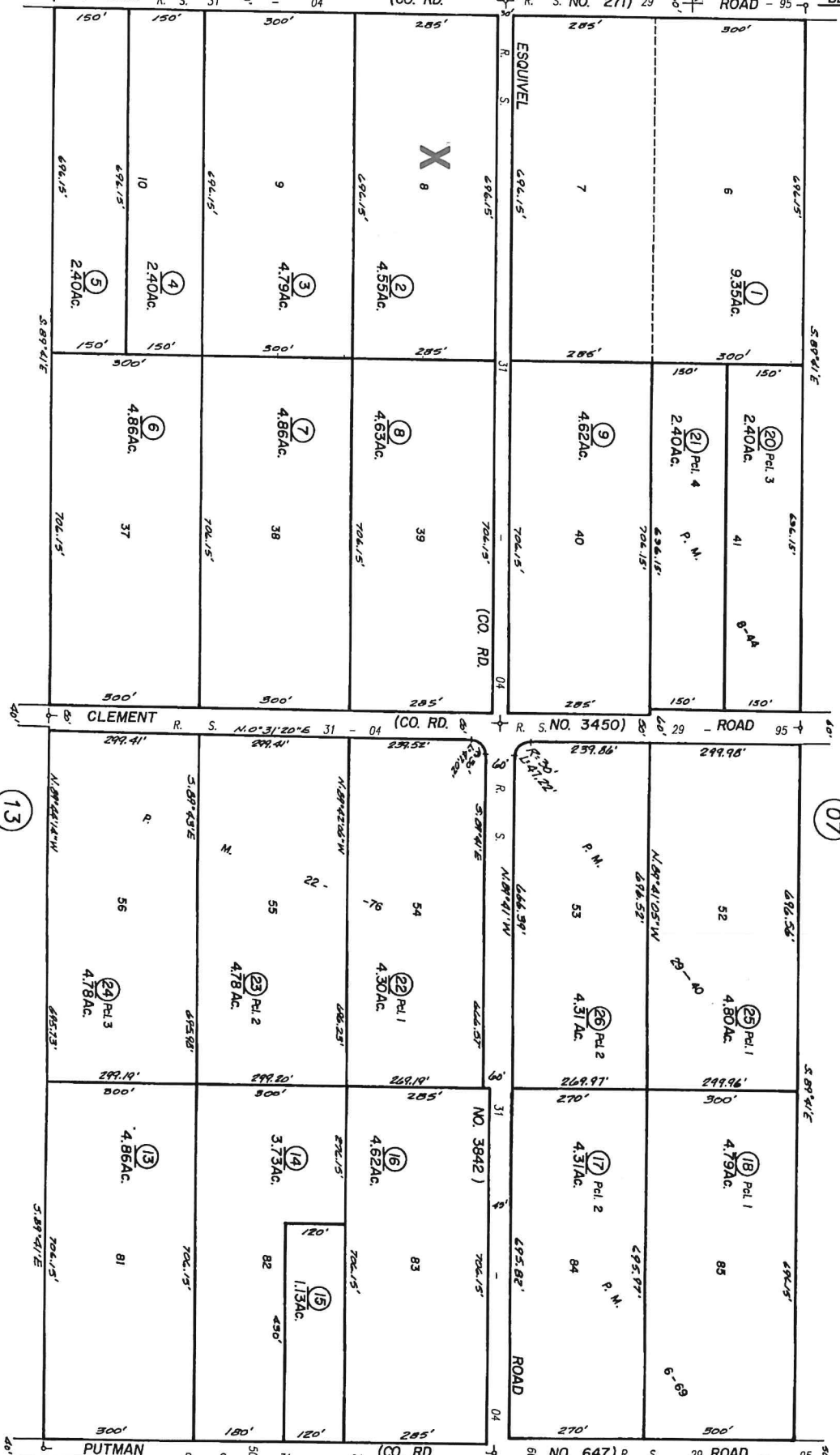
Locke-Paddon Col. No. 9, R.M. Bk. 5 Pg. 3

R.S. 31-04	6-21-13	Cr
R.S. 29-95	10-21-10	Cr
T10-25&26	2-24-86	DEW
SEF 327	1-17-86	DJ
REVISION	DATE	BY

NOTE: This map is for assessment purposes only. It is not intended to define legal boundary rights or imply compliance with land division laws.

Assessor's Map Bk. 106 Pg. 11
County of Solano, Calif.

14-15



POR LOT 38, RANCHO LOS PUTOS
POR SEC'S. 22 & 27, T.7N., R.1W., M.D.B. & M. EXT.

Tax Area Code
91042

106-11

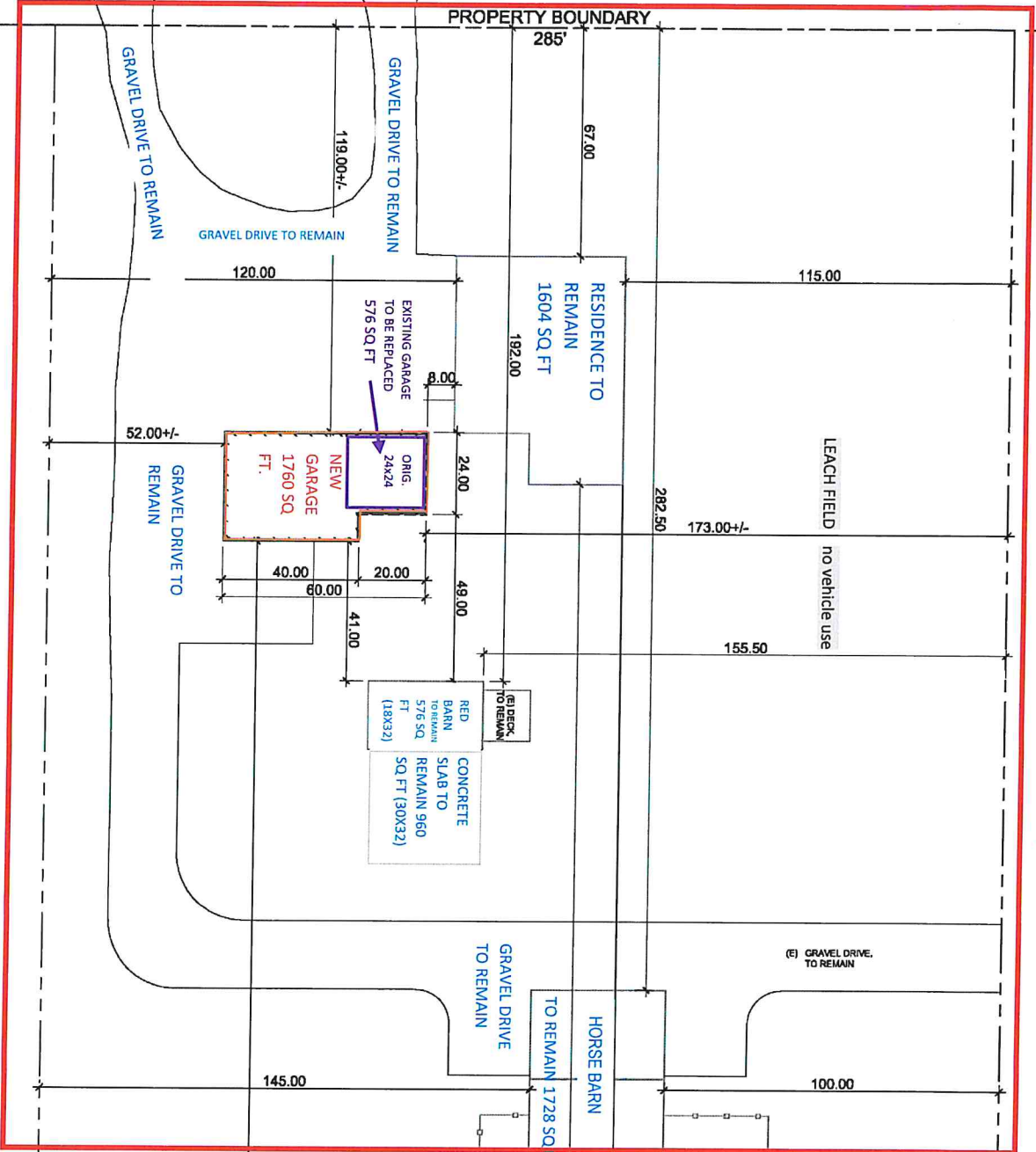
1" = 200'

12

13

07

TIMM RD



PROPERTY BOUNDARY 696.15'

ESQUIVEL RD

PROPERTY BOUNDARY 696.15'

EXHIBIT B
RECEIVED

JUN 29 2020

COUNTY OF SOLANO
RESOURCE MANAGEMENT

PROPERTY BOUNDARY 696.15'

Site Plan 7538 Timm Rd. Exhibit B

APN 0106-110-020

Area in red applicable to land use permit MU-20-07 to be further enlarged for clarity and use labeling in Exhibit C.

Site Plan 7538 Timm Rd. Exhibit C
 APN 0106-110-020

Further enlarged for clarity and use labeling portion of property including structures and applicable to land use permit MU-20-07. Area not shown here is livestock pasture.

Personal Vehicles to be parked in existing/new garage.

Business Vehicle parked on concrete slab labeled (F).

TOTAL area used by Calascio Concrete for business 1,266 sq ft.



EXHIBIT C
 RECEIVED
 JUN 29 2020
 COUNTY OF SOLANO
 RESOURCE MANAGEMENT

LEACH FIELD
 no vehicle use

GRAVEL DRIVE TO REMAIN

GRAVEL DRIVE TO REMAIN

DESCRIPTION OF STRUCTURES & USES

- (A) RESIDENCE 1604 sqft. (personal use)
- (B) HORSE BARN 1728 sqft (personal use) finalized permit B2012-0709.
- (C) EXISTING GARAGE 576 sqft (personal use) to be demo and replaced with new garage building permit B2020-0208.
- (D) NEW GARAGE (personal use) 1760 sqft. Building permit B2020-0208 under review. No grading or encroachment changes required.
- (E) RED BARN 576 sqft (mixed personal & business use) Approx. 306 sqft. (17X18) of southern interior space shared with business and personal indoor storage depicted with green outline. Orig. to property built in 1950s, incl. on Assessor's Rec.
- (F) EXISTING CONCRETE SLAB 960 sqft (30X32) (business use) parking for 8846 GWR truck, trailer, equip depicted with green outline.

PROPERTY BOUNDARY

285'

67.00

192.00

282.50

155.50

100.00

145.00

GRAVEL DRIVE TO REMAIN

GRAVEL DRIVE TO REMAIN

120.00

52.00+/-

GRAVEL DRIVE TO REMAIN

119.00+/-

(C) EXISTING GARAGE TO BE REPLACED 576 SQ FT (24X24)

(C) ORIG. 24X24

(D) NEW GARAGE 1760 SQ FT

(E) RED BARN TO REMAIN 576 SQ FT (18X32)

(F) SLAB TO REMAIN 960 SQ FT (30X32)

GRAVEL DRIVE TO REMAIN

TO REMAIN 1728 SQ FT

(B) HORSE BARN

(E) DECK TO REMAIN

8.00

24.00

49.00

20.00

40.00

60.00

41.00

115.00

(A) RESIDENCE TO REMAIN 1604 SQ FT

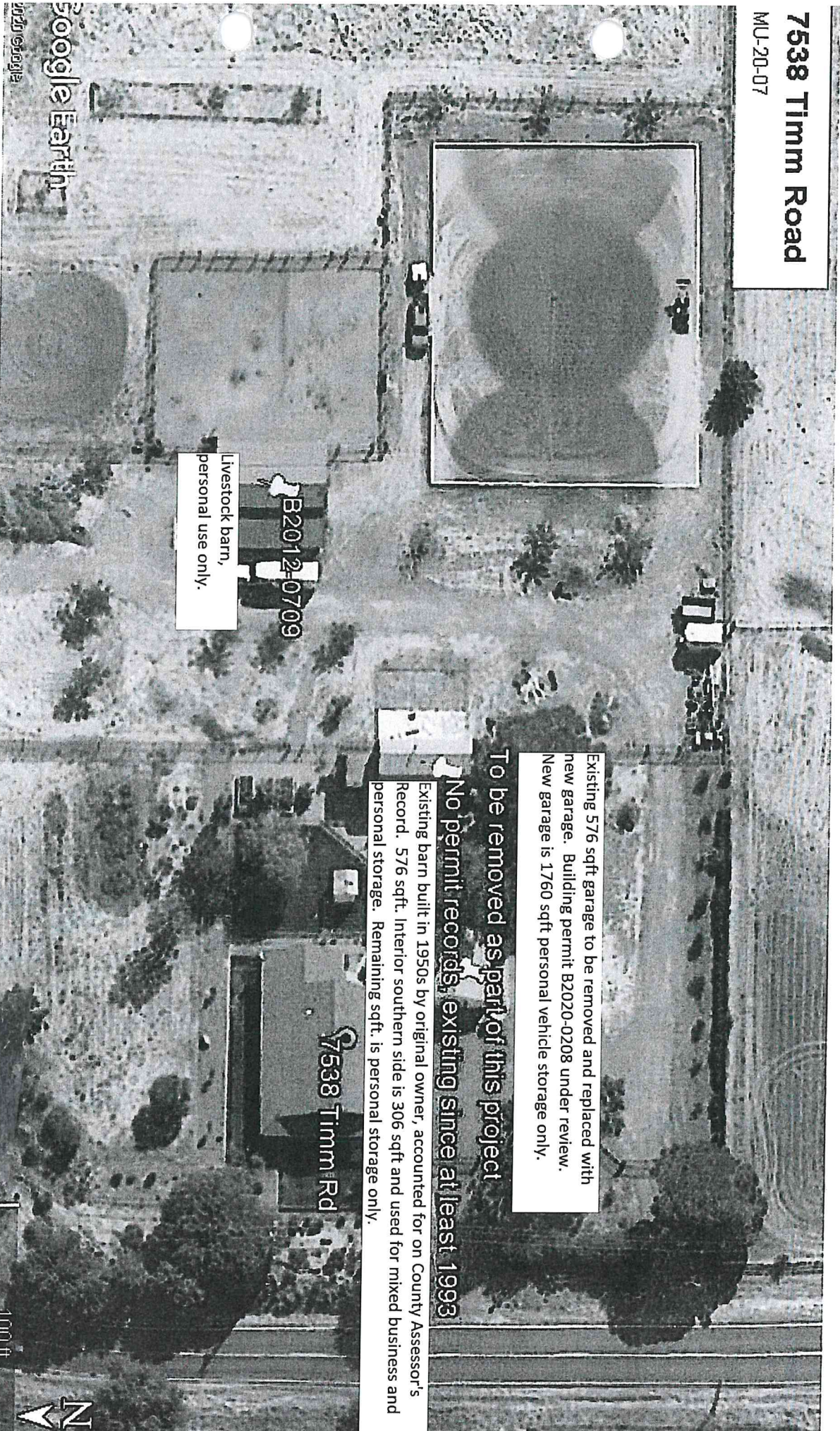
173.00+/-

no vehicle use

GRAVEL DRIVE TO REMAIN

7538 Timm Road

MU-20-07



Existing 576 sqft garage to be removed and replaced with new garage. Building permit B2020-0208 under review. New garage is 1760 sqft personal vehicle storage only.

To be removed as part of this project

No permit records, existing since at least 1993
Existing barn built in 1950s by original owner, accounted for on County Assessor's Record. 576 sqft. Interior southern side is 306 sqft and used for mixed business and personal storage. Remaining sqft. is personal storage only.

B2012-0709
Livestock barn,
personal use only.

EXHIBIT D

RECEIVED

JUN 29 2020

COUNTY OF SOLANO

SOLANO COUNTY ZONING ADMINISTRATOR RESOLUTION NO. XX-XX

WHEREAS, the Solano County Zoning Administrator has considered Minor Use Permit Application No. MU-20-07 of **Michael and Alisha Bartolomucci** to permit the storage of concrete company vehicles upon a 4.55 acre property located at 7538 Timm Road, in the unincorporated area north of the City of Vacaville in the Rural Residential (RR-2.5) Zoning District on parcel 0106-110-020, 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 December 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 permitted use with a Minor Use Permit 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 and sewer service by an on-site well and on-site sewage disposal system. Access is provided via Timm 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 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 15301, Existing Facilities.**

BE IT THEREFORE RESOLVED, that the Zoning Administrator has approved Minor Use Permit No. MU-20-07 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-20-07 filed April 20, 2020, and plans labeled “Exhibits A, B, C, and D” stamped as received on June 29 2020.
2. Any modifications to the business and existing development or construction of any new structures may require approval of a Minor Revision to this permit prior to issuance of a Building Permit.

Public Works Engineering Division

3. 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.
4. 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

5. The leach field and leach field replacement area shall be protected from vehicle traffic and / or heavy equipment which could compact and damage the soil infiltrative capacity and could physically damage the leach field piping requiring a permitted repair. At such time the existing leach field fails and no longer accepts effluent, the replacement of the existing leach field may require additional treatment technology or other engineering mitigation if restrictive soil types are discovered during the repair permit process.

Permit Term

6. As provided for in Section 28.106.N. of the County Code, the Department of Resource Management shall verify ongoing compliance with the terms and conditions of this permit through a program of periodic renewals 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.

I hereby certify that the foregoing resolution was adopted at the regular meeting of the Solano County Zoning Administrator on December 17, 2020.

TERRY SCHMIDTBAUER, DIRECTOR
RESOURCE MANAGEMENT

Allan Calder
Planning Program Manager