

SOLANO COUNTY ZONING ADMINISTRATOR
Staff Report
Solano Archaeological Services

Application No. U-09-12
Project Planner: Eric Wilberg

Meeting of: February 4, 2010
Agenda Item No. 2

Applicant:
Name: Jason Coleman (c/o John Dobles)

Address: 6059 Clark Road
Dixon, CA 95620

Property Owner (s):
Jason Coleman

Site Information:

Size: 21.72 acres

Location: 6059 Clark Road

APN: 0142-170-100

Zoning: A-40

Land Use: Residential, cattle grazing

General Plan: Agriculture

Ag. Contract: Not Applicable

Soils Type(s): N/A

Access: Clark Road

Utilities: Private well and septic

Adjacent General Plan Designations, Zoning and Existing Land Uses

	General Plan	Zoning	Land Use
North	Agriculture	Exclusive Agriculture A-40	Farming, residential
South	Agriculture	Exclusive Agriculture A-40	Farming, residential
East	Agriculture	A Exclusive Agriculture A-40	Farming, residential
West	Agriculture	Exclusive Agriculture A-40	Farming, residential

Motion to Approve:

The Zoning Administrator does hereby **ADOPT** the attached draft resolution and **APPROVE** Use Permit No. U-09-12 subject to the recommended conditions of approval.

RECOMMENDATION

The Department of Resource Management recommends that the Zoning Administrator **APPROVE** Use Permit No. U-09-12, based on the findings enumerated herein, and subject to the conditions of approval incorporated in this report.

ENVIRONMENTAL DETERMINATION

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

SITE DESCRIPTION

The site is located at 6059 Clark Road, approximately 2.5 miles east of the City of Vacaville and is identified as APN 0142-170-100. The property consists of 21.72 acres of relatively flat land, with the entire area exhibiting slopes between 0 – 6%. Development on-site consists of one 1,976 square foot residence and one 1,056 sq. ft. garage. Roughly half of the existing garage is proposed to be converted into office space for the business (Solano Archaeological Services).

The western half of the property is bisected by a 125 foot wide power transmission easement and overhead power lines. A 30 foot wide Solano Irrigation District (SID) easement runs along the front of the parcel and parallels Clark Road.

PROJECT DESCRIPTION

The applicant is proposing to establish a rural resident enterprise at 6059 Clark Road in an unincorporated area of Vacaville. By way of this use permit application and accompanying building permit application B2009-0530, the applicant proposes to convert two bays of an existing four car garage into office space for his business. Solano Archaeological Services is an environmental resource consulting firm whose focus is on the preservation of cultural resources. The office will be approximately 528 sq. ft. in size and will be distinguished from the remaining 528 sq. ft. portion of garage with a separation wall. The office space has a relatively open floor plan with the exception of a counter top sink and ADA accessible restroom. The applicant anticipates having one employee and intends to occasionally meet clients on-site.

ANALYSIS

GENERAL PLAN

The General Plan diagram (LU-7) designates the property Agriculture. The property is zoned Exclusive Agriculture A-40. Chapter 28 of the Solano County Code provides that rural resident enterprises may be allowed in Agricultural zoning districts upon the issuance of a Use Permit. Therefore the proposed use is consistent with the policies set forth in the County General Plan.

WILLIAMSON ACT

This parcel is not under an active land conservation contract.

ZONING

Section 28-23 of the Solano County Code states that a rural residential enterprise is conditionally permitted subject to the requirements described in Section 28-50(b)(6), Regulations for Rural Residential Enterprises as listed below:

- a. **Uses shall not exceed a total area of one thousand five hundred square feet of contiguous indoor or outdoor space of which a maximum of five hundred square feet may be devoted to retail sales or services directly involving customers.**

The proposal is to use 528 square feet within a 1,056 square foot detached garage. All aspects of the business will be located within this office space, including the occasional consultation with clients.

- b. **Enterprises shall be operated by the resident family only, and there shall not be more than one nonresident employee on site.**

The business operator resides on-site and proposes only one non-resident employee.

- c. **Uses shall not be allowed which generate significant amounts of traffic. A permit on a private road which involves an increase in traffic may be approved by the Planning Commission only after evidence is shown that the proposed use will not unduly burden adjacent property owners on the private road.**

The rural resident enterprise will be located along Clark Road; County road no. 300. The environmental resource consulting firm will provide services primarily off-site. The office space on-site will enable bookkeeping, filing, and cataloguing. These aspects of the business will not generate traffic or noise that should not unduly burden adjacent property owners.

- d. **Uses which generate traffic beyond that normally associated with rural areas or which may have impacts associated with increased lighting or noise shall be limited to daytime hours.**

The proposed use is a small business that will not generate significant traffic to the site. Noise and lighting will be consistent with that found in agricultural and residential areas.

- e. **Enterprises shall remain secondary to the residential use of the property and shall be located behind the front building line of the residence, and a minimum of twenty feet from side property lines and twenty-five feet from rear property lines.**

The rural residential enterprise is required to be operated by residents of the property, and as such, is secondary to the residential use of the property. Limitations on size and number of employees also ensure the scale of the use is secondary to the residential use of the property. The structure shares the same front yard setback as the existing home (115 ft.) and exceeds all other minimum setback requirements.

- f. **When enterprises are to be contained within a building or area exceeding the allowable size limitations, that area to be used for the enterprise shall be physically separated from the remaining area and in no case shall an existing garage be converted to a rural resident enterprise unless additional enclosed parking is provided in conformance with the County's parking standards.**

The rural residential portion an existing four car garage will be walled off. Two enclosed parking spaces will remain after the garage conversion, thus fulfilling the parking requirements set forth under Section 28-55 of the County Zoning Regulations.

- g. **Signs shall be limited to one non-illuminated name plate not to exceed twenty square feet mounted on or directly adjacent to the residence or proposed use. No advertising signs shall be permitted.**

No signs are proposed as a part of this application. Any future signage is required to conform to Section 28-66 of the County Zoning Regulation, which deals with sign standards for specific zoning districts.

- h. Areas dedicated to outside storage or use shall be adequately screened or fenced so as not to have a visual impact on neighboring properties.**

All storage that is a part of the rural residential enterprise will occur inside the 528 square foot portion of the accessory building.

- i. Adequate parking shall be provided as determined necessary by the Zoning Administrator or Planning Commission. Access to the enterprise shall be limited to the existing residential driveway.**

The staff has reviewed the parking and circulation plan for the proposed use and finds that it is adequate. One ADA accessible parking space will be provided as part of this proposal.

- j. Industrial uses, including uses involving heavy machinery, trucking and transportation operations, or uses which involve the use, storage or disposal of hazardous materials, chemicals or other objectionable elements, shall not be permitted.**

These limitations are incorporated as conditions of approval in the Use Permit.

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 establishment and operation of a rural residential enterprise is consistent with the goals, objectives, and policies of the Land Use Chapter of the Solano County General Plan because the facility will be incidental to and subordinate to the residential use of the property.

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

The site is adequately served by the on-site septic system and well. Access is provided Clark 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.**

On the basis of staff site inspection performed and the lack of complaints on file with the Department of Resource Management as of February 2010, the proposed 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.

ADDITIONAL FINDINGS

4. **Adequate controls or measures will be taken to prevent any hazard or nuisance to surrounding residents or farm animals, and to prevent trespassing to surrounding property.**

Adequate controls have been taken to prevent any hazard or nuisance to surrounding residents or farm animals. The business operator, employee, and any clients who utilize the facility will not constitute a nuisance above and beyond what is permissible under a typical residential use of the property.

CONDITIONS OF APPROVAL

1. The proposed rural resident enterprise shall be established in accord with the application materials, development permit application, and site plan titled 'Garage Conversion' dated October 2009 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 uses associated with the rural resident enterprise (including outdoor storage), 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 environmental review.
4. The permittee shall obtain approval from the Building Division prior to constructing, erecting, enlarging, altering, repairing, moving, improving, removing, converting, or demolishing any building or structure, fence or retaining wall regulated by the Solano County Building laws. Submit four (4) sets of plans to the Building and Safety Division for plan review and permits prior to beginning any improvements.
5. The building and any storage areas will have to comply with all applicable codes, including ADA requirements and the requirements of the Vacaville Fire Protection District.
6. The permittee shall obtain a business license from Solano County for the proposed rural residential enterprise and maintain compliance with all of its requirements.
7. All of the following regulations shall be met, relating to the proposed rural residential enterprise:
 - a. Uses shall not exceed a total area of one thousand five hundred square feet of contiguous indoor or outdoor space of which a maximum of five hundred square feet may be devoted to retail sales or services directly involving customers.

- b. Enterprises shall be operated by the resident family only, and there shall not be more than one nonresident employee on site.
 - c. Uses shall not be allowed which generate significant amounts of traffic.
 - d. Uses which generate traffic beyond that normally associated with rural areas or which may have impacts associated with increased lighting or noise shall be limited to daytime hours.
 - e. Enterprises shall remain secondary to the residential use of the property and shall be located behind the front building line of the residence, and a minimum of twenty feet from side property lines and twenty-five feet from rear property lines.
 - f. When enterprises are to be contained within a building or area exceeding the allowable size limitations, that area to be used for the enterprise shall be physically separated from the remaining area and in no case shall an existing garage be converted to a rural resident enterprise unless additional enclosed parking is provided in conformance with the County's parking standards.
 - g. Signs shall be limited to one non-illuminated name plate not to exceed twenty square feet mounted on or directly adjacent to the residence or proposed use. No advertising signs shall be permitted.
 - h. If areas of the property are dedicated to outside storage or use, such areas shall be adequately screened or fenced so as not to have a visual impact on neighboring properties.
 - i. Adequate parking shall be provided as determined necessary by the Zoning Administrator or Planning Commission. Access to the enterprise shall be limited to the approved residential driveway.
 - j. Industrial uses, including uses involving heavy machinery, trucking and transportation operations, or uses which involve the use, storage or disposal of hazardous materials, chemicals or other objectionable elements, shall not be permitted.
8. The premises shall be maintained in a neat and orderly manner and kept free of accumulated debris and junk.
9. 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, February 4, 2010. The cost associated with the periodic reviews shall be charged at that time.

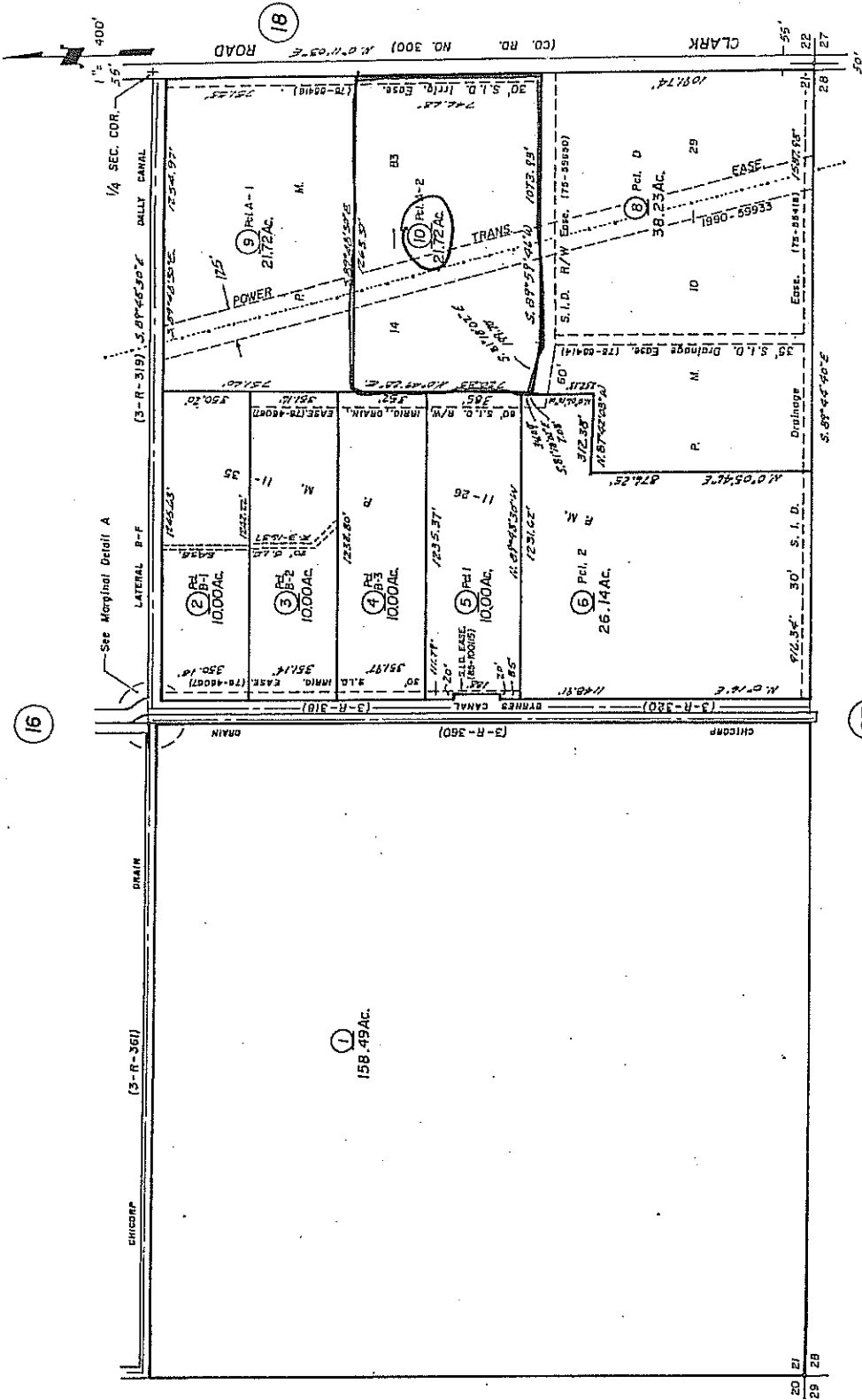
Attachments

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

S. 1/2 SEC. 21, T. 6 N., R. 1 E., M. D. B. & M.

Tax Area Code
91021

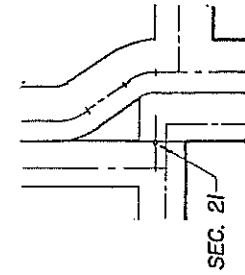
142-17



16

23

13



MARGINAL DETAIL A
Scale: 1"=100'

15

REVISION	DATE BY
1	7-21-98
2	7-24-98
3	7-24-98
4	7-25-98
5	7-25-98

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

Assessor's Map Bk. 142 Pg. 17
County of Solano, Calif.

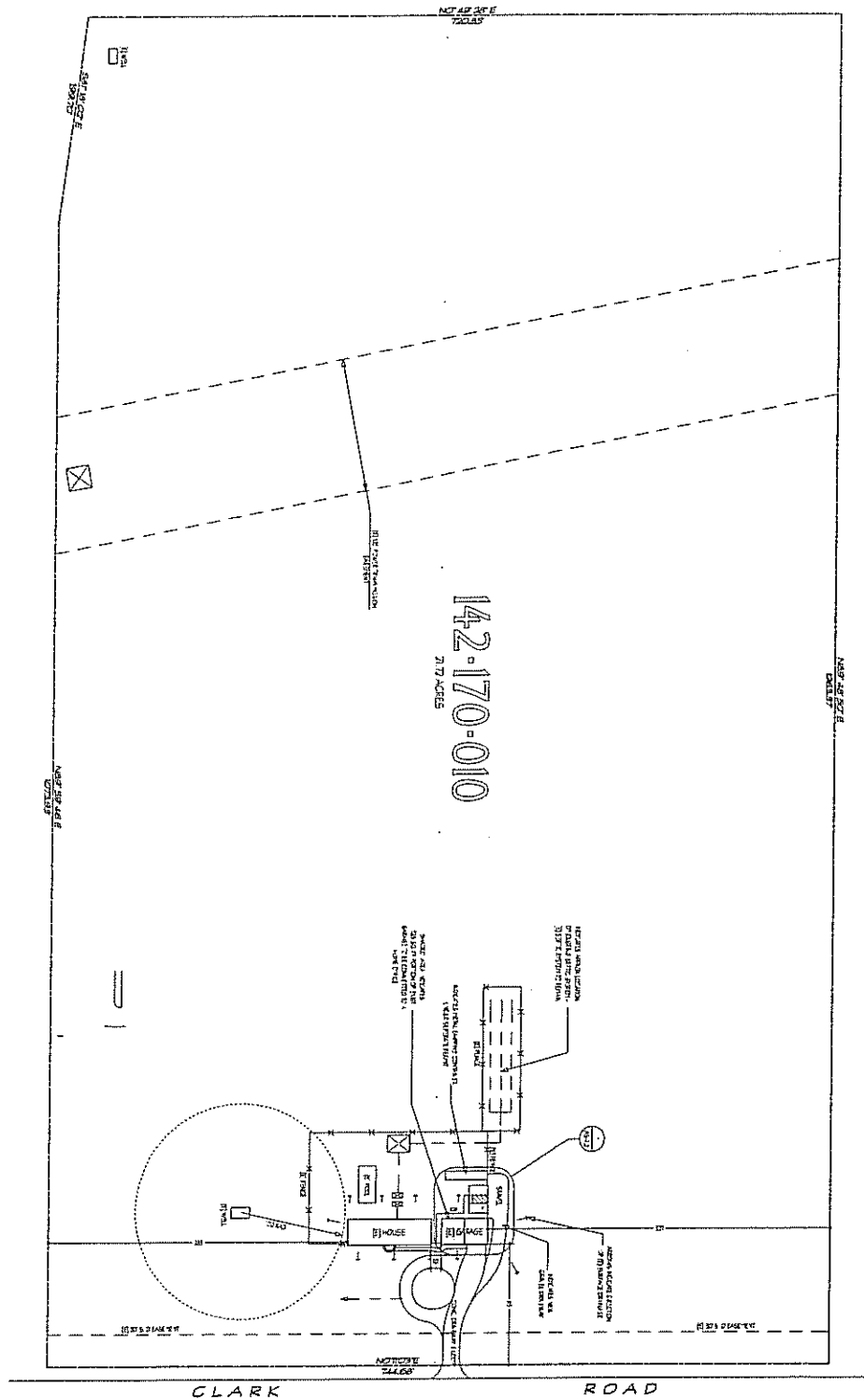
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Exhibit A

Solano County Dept. of Resource Mgmt.
Planning Services Division
File No. U-09-12
Date Received: 10/13/2009

Site Plan
Scale: 1" = 50'



Sheet Number
AS-1.1
October 2009

Site Plan
October 2009

Garage Conversion
For: Mr. Jason Co.
6059 Clark Road, Dixie - 8-587

Revisions

No.	Description

Project No.
Date

Exhibit B

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

WHEREAS, the Solano County Zoning Administrator has considered Use Permit Application No. U-09-12 of **John Dobles** for a Rural Residential Enterprise. The proposal consists of converting a portion of an existing garage into an office space for Solano Archeological Services. The project is located at 6059 Clark Road, 6 miles south of the City of Dixon in an "A-40" Exclusive Agricultural Zoning District, APN: 0142-170-100, 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 February 4, 2010, 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 establishment and operation of a rural residential enterprise is consistent with the goals, objectives, and policies of the Land Use Chapter of the Solano County General Plan because the facility will be incidental to and subordinate to the residential use of the property.

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

The site is adequately served by the on-site septic system and well. Access is provided Clark 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.

On the basis of staff site inspection performed and the lack of complaints on file with the Department of Resource Management as of February 2010, the proposed 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.

4. Adequate controls or measures will be taken to prevent any hazard or nuisance to surrounding residents or farm animals, and to prevent trespassing to surrounding property.

Adequate controls have been taken to prevent any hazard or nuisance to surrounding residents or

Exhibit C

farm animals. The business operator, employee, and any clients who utilize the facility will not constitute a nuisance above and beyond what is permissible under a typical residential use of the property.

BE IT THEREFORE RESOLVED, that the Zoning Administrator has approved Use Permit Application No. U-09-12 subject to the following recommended conditions of approval:

1. The proposed rural resident enterprise shall be established in accord with the application materials, development permit application, and site plan titled 'Garage Conversion' dated October 2009 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 uses associated with the rural resident enterprise (including outdoor storage), 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 environmental review.
4. The permittee shall obtain approval from the Building Division prior to constructing, erecting, enlarging, altering, repairing, moving, improving, removing, converting, or demolishing any building or structure, fence or retaining wall regulated by the Solano County Building laws. Submit four (4) sets of plans to the Building and Safety Division for plan review and permits prior to beginning any improvements.
5. The building and any storage areas will have to comply with all applicable codes, including ADA requirements and the requirements of the Vacaville Fire Protection District.
6. The permittee shall obtain a business license from Solano County for the proposed rural residential enterprise and maintain compliance with all of its requirements.
7. All of the following regulations shall be met, relating to the proposed rural residential enterprise:
 - a. Uses shall not exceed a total area of one thousand five hundred square feet of contiguous indoor or outdoor space of which a maximum of five hundred square feet may be devoted to retail sales or services directly involving customers.
 - b. Enterprises shall be operated by the resident family only, and there shall not be more than one nonresident employee on site.
 - c. Uses shall not be allowed which generate significant amounts of traffic.
 - d. Uses which generate traffic beyond that normally associated with rural areas or which may have impacts associated with increased lighting or noise shall be limited to daytime hours.
 - e. Enterprises shall remain secondary to the residential use of the property and shall be located behind the front building line of the residence, and a minimum of twenty feet from side property lines and twenty-five feet from rear property lines.

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 - h. If areas of the property are dedicated to outside storage or use, such areas shall be adequately screened or fenced so as not to have a visual impact on neighboring properties.
 - i. Adequate parking shall be provided as determined necessary by the Zoning Administrator or Planning Commission. Access to the enterprise shall be limited to the approved residential driveway.
 - j. Industrial uses, including uses involving heavy machinery, trucking and transportation operations, or uses which involve the use, storage or disposal of hazardous materials, chemicals or other objectionable elements, shall not be permitted.
8. The premises shall be maintained in a neat and orderly manner and kept free of accumulated debris and junk.
9. 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, February 4, 2010. 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 February 4, 2010.

BIRGITTA E. CORSELLO, DIRECTOR
RESOURCE MANAGEMENT

Michael Yankovich
Planning Program Manager