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Director

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DEPARTMENT OF RESOURCE MANAGEMENT



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Planning Services Division

SOLANO COUNTY Planning Commission

**Staff Report
U-07-12-MR1**

Application No. U-07-12-MR1 Project Planner: Travis Kroger, Planning Technician		Meeting of April 1, 2021 Agenda Item No. 3	
Applicant David Jackson 6743 Willow Road Vacaville, CA 95687		Property Owner David Jackson 6743 Willow Road Vacaville, CA 95687	
Action Requested Consideration of Minor Revision No. 1 to Land Use Permit U-07-12 to convert the permitted Rural Resident Enterprise into a Cottage Industry – General, which will occupy the entire building, permit the as-built spray booth in the rear of the building, and retain the existing detached garage rather than removing it as originally stated. No other changes to the site or new development are proposed.			
Property Information			
Size: 2.85 ac. (total)		Location: 6743 Willow Road	
APN: 0133-140-160			
Zoning: Rural Residential (RR-2.5)		Land Use: Cottage Industry - General	
General Plan: Rural Residential		Ag. Contract: n/a	
Utilities: private well and on-site septic system		Access: Willow 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 15301, minor alteration of existing public or private structures.			
Motion to Approve The Zoning Administrator does hereby ADOPT the attached resolution and APPROVE Minor Revision No. 1 to Land Use Permit No. U-07-12 based on the enumerated findings and subject to the recommended conditions of approval.			

BACKGROUND

The existing development on this parcel consists of an existing dwelling, detached garage, residential accessory structure, and a larger accessory structure used for the business. The permit records are as follows:

Permit Number	Description
B2008-0388	New metal building on slab foundation
S2008-0033	Septic connection from new shop to existing septic system
B2008-0683	Tenant improvement in existing building 1,020 sq. ft. Office space for employees, 8'x12' shed beside building and 5'x6' awning over door.
B2014-0392	Residential addition, 3,168 square feet
B2014-0462	Relocate electrical panel
B-2927 (1983)	Remodel living room, enclose porch
B-3436 (1985)	Remodel



SETTING

The subject property consists of 2.85 acres of land, fronting on Willow Road in unincorporated Solano County. The surrounding parcels are of similar size and developed with residential uses.

PROJECT DESCRIPTION

The applicant has applied for a Minor Revision to Land Use permit U-07-12 to change the existing Rural Resident Enterprise to a Cottage Industry – General which includes use of the entire building for the business, addition of a spray booth to the interior of the building, and no longer removing the existing detached garage as stated on the original site plan for U-07-12

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

Neighborhood Compatibility

An aerial survey shows that most surrounding parcels in the area are used for residential purposes. No complaints about this business have been received by Solano County so far and since the proposed revision does not involve any expansion beyond the existing use it is unlikely that operation will create any negative 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, A Cottage Industry – General is allowed subject to section 28.72.40(A) &(B)(1)(a, b, c, d, & f-g) of the Solano County Code. These general requirements provide for use of accessory buildings on the same parcel as the dwelling to be used for limited amounts of manufacturing and sales of goods or services, and address avoidance of public nuisance, area of the parcel which can be used for the business, and the allowable number of employees, vehicles and trailers. The existing development 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 15301, minor alteration of existing public or private structures.

RECOMMENDATION

Staff recommends that the Zoning Administrator **ADOPT** the mandatory and suggested findings, and **APPROVE** Minor Revision No.1, 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.**

The parcel is 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 Willow 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 – General 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, minor alteration of existing public or private structures.

CONDITIONS OF APPROVAL

General

1. The above use shall be established in accord with the application materials and development plans as submitted with U-07-12-MR1 filed July 18, 2018 and as approved by the Solano County Zoning Administrator.
2. The property owner will maintain a current Solano County Business License for as long as this business remains in operation.
3. The vehicles used for the business will be limited to three trucks and three trailers. Any vehicles over 14,000 lbs. GVWR must be parked indoors, and one business vehicle under 14,000 lbs. GVWR may be parked outdoors. Any additional vehicles stored on the property will be operational with current registration to an occupant of the property, or stored within a permitted accessory structure.
4. A maximum of two employees may report to the business location for work, and two employee vehicles may be parked on-site.
5. A maximum of 3,000 square feet may be used for the business including indoor parking, indoor storage, outdoor storage (screened from public view) and office space. Outdoor parking of up to one small business vehicle and two employee vehicles is not included in this area.
6. Within one year of the approval date of U-07-12-MR1, the property owner will file Building Permit applications for the as-built spray booth and any modifications necessary to convert the entire building to business use and maintain the Building Permits in good standing until the Final Inspections have been completed. Within 60 days of approval of U-07-12-MR1, county staff will contact the property owner to schedule an inspection to assist in determining what permits will be needed.

Building and Safety Division

7. 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.
8. 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.
9. 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.”**
10. 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.”
11. Certificate of Occupancy “111.1 Use and Occupancy. No building shall be used or occupied, and no change in the existing occupancy classification of a building or structure or portion thereof shall be made until the Building Official has issued a certificate of occupancy therefore as provided herein.”
12. The Building Permit plans shall include a code analysis as listed below and the design shall be under the 2019 California Codes and all current rules, regulations, laws and ordinances of the local, state and federal requirements. Upon Building Permit submittal, the licensed architect shall provide a code analysis for each building and structure such as:

- a) Occupancy Classification
 - b) Type of Construction
 - c) Seismic Zone
 - d) Occupant Load
13. 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 of 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.”** Electronic media documents are permitted where approved by the Building Official. 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.”
 14. The site and all facilities shall meet all the accessibility requirements found in Chapter 11B of the 2019 California Building Code. The designer is required to design for the most restrictive requirements between ADA Federal Law and 2019 California Building Code. The Solano County Building Division will be reviewing the plans for the most restrictive requirements of the two. There shall be a complete site plan, drawn to scale, and designed by a licensed architect reflecting all site accessibility.
 15. All accessible paths of travel and parking areas shall be a hardscaped surface and shall meet all the worst-case requirements between Chapter 11B of the 2019 California Building Code and the ADA Federal Law.
 16. The fire district will reassess the site for fire life and safety and fire sprinkler requirements.

Environmental Health Division

17. The facility shall describe the type and quantities of hazardous materials it has onsite. Any facility that handles hazardous material in quantities equal to or greater than 55 gallons of liquids, 200 cubic feet for gases, 500 lbs. for solids requires a Hazardous Materials Business Plan (HMBP). The HMBP consists of facility information, hazardous materials inventory, site diagram, emergency response plan, and an employee training plan.

Within 30 days of exceeding any of the threshold hazardous materials quantities, the HMBP must be submitted to California Environmental Reporting System (CERS) at:
<https://cersbusiness.calepa.ca.gov/Account/SignIn?ReturnUrl=%2f>

For more information, contact a Hazardous Materials Specialist within Solano County, Division of Environmental Health at (707) 784-6765.
18. The applicant shall clarify how all hazardous materials, including paints, solvents, and other chemicals are prevented from being introduced into the septic system.

Discharge of commercial waste other than sewage requires submitting an approved Waste Discharge Requirements (WDR) Authorization from the Regional Waterboard. The discharge is also considered a Class V Injection well which requires registration from the US EPA.

If the applicant is unable to verify that hazardous materials are prevented from introduction into the septic system, the applicant shall:

EITHER

A. Remove the paint booth

OR

B. Submit a WDR Authorization from the Regional Water Board, and verification of the Class V injection well registration from the US EPA.

19. If the applicant can verify that hazardous materials are not being introduced into the septic system OR that the applicable WDR Authorization from the Regional Waterboard and the US EPA have been obtained, then:

- A. The applicant shall obtain all applicable permits for the construction of the paint booth from Vacaville Fire and the Yolo-Solano Air Quality Management District.
- B. The applicant shall obtain and maintain as valid all applicable permits for the operation of the paint booth from Vacaville Fire and the Yolo-Solano Air Quality Management District
- C. The applicant shall retain and provide upon request all waste manifests indicating the air filters are being disposed of properly

Permit Term

20. 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 renewals shall be charged at that time.

Attachments

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

**SOLANO COUNTY ZONING ADMINISTRATOR
RESOLUTION NO. 21-02**

WHEREAS, the Solano County Zoning Administrator has considered Minor Revision No. 1 to Land Use Permit U-07-12 to convert the permitted Rural Resident Enterprise into a Cottage Industry – General, which will occupy the entire building, permit the as-built spray booth in the rear of the building, and retain the existing detached garage rather than removing it as originally stated, located at 6743 Willow Road, 0.2 miles west of the City of Vacaville in the Rural Residential (RR-2.5) zoning district, APN 0133-140-160 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 April 1, 2021, 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.**

The parcel is 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 Willow 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 – General 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 Minor Revision No. 1 to Land Use Permit U-07-12 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 U-07-12-MR1 filed July 18, 2018 and as approved by the Solano County Zoning Administrator.
2. The property owner will maintain a current Solano County Business License for as long as this business remains in operation.
3. The vehicles used for the business will be limited to three trucks and three trailers. Any vehicles over 14,000 lbs. GVWR must be parked indoors, and one business vehicle under 14,000 lbs. GVWR may be parked outdoors. Any additional vehicles stored on the property will be operational with current registration to an occupant of the property, or stored within a permitted accessory structure.
4. A maximum of two employees may report to the business location for work, and two employee vehicles may be parked on-site.
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6. Within one year of the approval date of U-07-12-MR1, the property owner will file Building Permit applications for the as-built spray booth and any modifications necessary to convert the entire building to business use and maintain the Building Permits in good standing until the Final Inspections have been completed. Within 60 days of approval of U-07-12-MR1, county staff will contact the property owner to schedule an inspection to assist in determining what permits will be needed.

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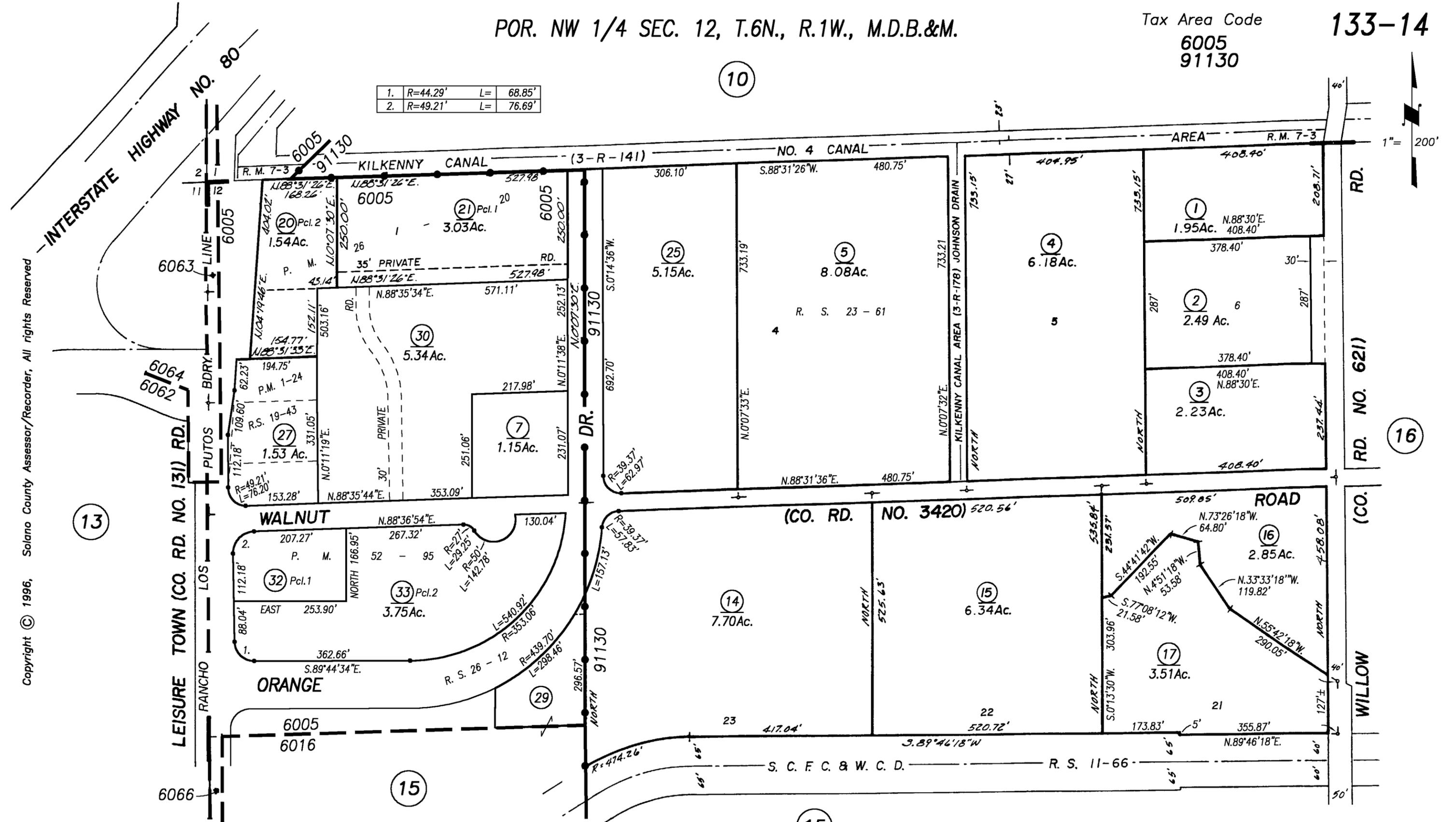
Permit Term

20. 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 renewals 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 April 1, 2021.

Allan M. Calder, Planning Manager
Resource Management

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1.	R=44.29'	L=	68.85'
2.	R=49.21'	L=	76.69'

140-32,33 (Pm)	10-8-19	Cr
140-31,28 kill(Pm)	10-27-17	Cr
140-30 (Lla)	7-27-17	DV
SBE 17-006	1-17-17	Cr
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.

C. Locke Paddon Colony No. 16, R.M. Bk.07 Pg.03

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

CITY OF VACAVILLE & VICINITY
Assessor's Map Bk.133 Pg.14
County of Solano, Calif.