

BILL EMLÉN
 Director
 (707) 784-6765

TERRY SCHMIDTBAUER
 Assistant Director
 (707) 784-6765

MIKE YANKOVICH
 Planning Services Manager
 (707) 784-6765

DEPARTMENT OF RESOURCE MANAGEMENT



**SOLANO
 COUNTY**

675 Texas Street, Suite 5500
 Fairfield, CA 94533-6342
 (707) 784-6765
 Fax (707) 784-4805

www.solanocounty.com

Planning Services Division

SOLANO COUNTY ZONING ADMINISTRATOR

**Staff Report
 U-18-02**

Application No. U-18-02 (Sirokman) Project Planner: Travis Kroger, Planning Technician		Meeting of October 18, 2018 Agenda Item No. 1	
Applicant JAMES P & BREANNE R SIROKMAN 124 LOMITA AVE VACAVILLE CA 95688		Property Owner JAMES P & BREANNE R SIROKMAN 124 LOMITA AVE VACAVILLE CA 95688	
Action Requested Consideration of Land Use Permit application U-18-02 to remodel an existing dwelling for use as a community care facility.			
Property Information			
Size: 5.00 ac. (total)		Location: 5073 Victor Lane	
APN: 0106-250-200			
Zoning: Rural Residential (RR-5)		Land Use: Community Care Facility	
General Plan: Urban Residential		Ag. Contract: n/a	
Utilities: Existing well and septic system		Access: Victor Lane	
Adjacent General Plan Designation, Zoning District, and Existing Land Use			
	General Plan	Zoning	Land Use
North	Urban Residential	Rural Residential (RR-5)	Residential
South	Urban Residential	Rural Residential (RR-5)	Residential
East	Urban Residential	Exclusive Agriculture (A-20)	Commercial solar array
West	Urban Residential	Rural Residential (RR-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, Existing Facilities.			
Motion to Approve The Zoning Administrator does hereby ADOPT the attached resolution and APPROVE Use Permit No. U-18-02 based on the enumerated findings and subject to the recommended conditions of approval.			

BACKGROUND

The existing development on this parcel consists of a primary residence permitted by Building Permit B-4725, a residential accessory structure permitted by Building Permit B-5272, and two additional unpermitted accessory structures to be permitted or removed.

SETTING

The subject property consists of 5.00 acres of land, fronting on Victor Lane, a private road accessed from Leisure Town Road in unincorporated Vacaville. The surrounding parcels include residential and public utility (commercial ground mount solar array) structures.

PROJECT DESCRIPTION

The applicant has applied for a Land Use permit to the existing primary dwelling to establish a community care facility for up to 11 residents. The existing development consists of the subject primary dwelling and three accessory structures as described above.

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

LAND USE CONSISTENCY

The parcel is designated Urban 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 Exclusive Agriculture (A-40) zoning district is consistent with this designation. The subject site is zoned Rural Residential (RR-5), but the proposed development for this project (primary dwelling and accessory structures) is allowed in both the RR-5 and A-40 zoning districts.

Within the RR-5 zoning district, Community Care Facility uses are allowed subject to the requirements of sections 28.78.30(A) and (B)(2) of the Solano County Code. These general requirements address access, road encroachment standards, and density, capacity and licensing requirements of such facilities. Vehicle access to the site is via a driveway off Victor Lane.

Section 28.78.30(B)(2)(a) of the Solano County Code states that: Community care facilities shall not be located on any ownership within four hundred feet of any other ownership containing a community care facility, or for which a use permit for a community care facility has been issued.

Review of the permit history of surrounding parcels has determined that no existing community care facilities as defined by the Solano County Code have been permitted within the immediate area of the subject parcel.

Section 28.78.30(B)(2)(b) of the Solano County Code states that: The number of persons under care living in such facilities shall not exceed three percent of the total unincorporated population within the census tract where the facility is located.

The subject site is located within census tract 252904, which in 2010 included 4,726 people. The proposed capacity of 11 residents would be 0.23 percent of the 2010 census tract population.

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.

Assessor's property records, aerial images, and Building Permit records indicate the effective age of development on the subject parcel to be 1988.

RECOMMENDATION

Staff recommends that the Zoning Administrator **ADOPT** the mandatory and suggested findings and **APPROVE** Use Permit No. U-18-02, subject to the recommended conditions of approval.

LAND 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 Urban Residential by the Solano County General Plan Land Use Diagram. The proposed use is a conditionally permitted use within the Rural Residential (RR-5) zoning district. Although only the Exclusive Agriculture (A-40) zoning district is consistent with the current General Plan designation, the development associated with this conditionally permitted use is allowed by right in both zoning districts.

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

The site is provided with water by an existing well and sewer service by an existing septic system. Access is proposed via an existing driveway connection to Victor Lane.

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 Community Care Facility 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 U-18-02 filed May 15, 2018 and as approved by the Solano County Zoning Administrator.

2. Any modifications to the business or 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.
3. Any unpermitted structures must be permitted or removed within 180 days of issuance of this Land Use permit.

Building and Safety Division

4. 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 latest edition 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."

Public Works Division

5. No Conditions

Environmental Health Division

6. A complete application and plans shall be submitted to expand the septic system onsite to accommodate the anticipated waste flows in accordance with Solano County Code Ch. 6.4: Sewage Standards.
7. The expansion of the on-site sewage disposal system shall be approved under permit issued by this office, and shall include site inspection, construction inspection, and will require an annual operational permit if an alternative type sewage disposal system is required.
8. The site shall discontinue its garbage exemption and obtain regular garbage service. Garbage service shall be sufficient to prevent the accumulation of garbage or trash on site. A minimum service of twice a week for a 96-gallon garbage tote, or once a week for a 3-yard bin, is recommended.
9. Facility shall obtain a license to operate a Residential Care Facility for the Elderly (RCFE) thru the California Health and Human Services Agency, Department of Social Services and maintain the license for the duration of operations.
10. The Community Care Licensing Division Adult & Senior Care Program Office – Centralized Applications Bureau can be contacted at 916.657.2600. The Rohnert Park Regional Office (which has jurisdiction within Solano County) can be reached at 707.588.5026.

Dixon Fire District

11. If the property is gated, an approved access system shall be provided.
12. A 20' wide all-weather road shall be provided to within 150 of the most distant side of the building
13. The building shall be equipped with an automatic fire sprinkler system meeting NFPA 13D standards.

14. Plans for any modification to the building shall be reviewed and approved by the Dixon Fire Department.

Permit Term

15. 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 Use Permit Application No. U-18-02 of **James Sirokman (c/o A2R Architects)** for a residential care facility for the elderly located at 5073 Victor Lane, Vacaville in the Rural Residential "RR-5" Zoning District, APN: 0106-250-200, 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 October 18, 2018, 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 Urban Residential by the Solano County General Plan Land Use Diagram. The proposed use is a conditionally permitted use within the Rural Residential (RR-5) zoning district. Although only the Exclusive Agriculture (A-40) zoning district is consistent with the current General Plan designation, the development associated with this conditionally permitted use is allowed by right in both zoning districts.

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

The site is provided with water by an existing well and sewer service by an existing septic system. Access is proposed via an existing driveway connection to Victor Lane.

- 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 Community Care Facility 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 Use Permit Application No. U-18-02 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-18-02 filed May 15, 2018 and as approved by the Solano County Zoning Administrator.
2. Any modifications to the business or 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.
3. Any unpermitted structures must be permitted or removed within 180 days of issuance of this Land Use permit.

Building and Safety Division

4. 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 latest edition 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."

Public Works Division

5. No Conditions

Environmental Health Division

6. A complete application and plans shall be submitted to expand the septic system onsite to accommodate the anticipated waste flows in accordance with Solano County Code Ch. 6.4: Sewage Standards.
7. The expansion of the on-site sewage disposal system shall be approved under permit issued by this office, and shall include site inspection, construction inspection, and will require an annual operational permit if an alternative type sewage disposal system is required.
8. The site shall discontinue its garbage exemption and obtain regular garbage service. Garbage service shall be sufficient to prevent the accumulation of garbage or trash on site. A minimum service of twice a week for a 96-gallon garbage tote, or once a week for a 3-yard bin, is recommended.
9. Facility shall obtain a license to operate a Residential Care Facility for the Elderly (RCFE) thru the California Health and Human Services Agency, Department of Social Services and maintain the license for the duration of operations.

10. The Community Care Licensing Division Adult & Senior Care Program Office – Centralized Applications Bureau can be contacted at 916.657.2600. The Rohnert Park Regional Office (which has jurisdiction within Solano County) can be reached at 707.588.5026.

Dixon Fire District

11. If the property is gated, an approved access system shall be provided.
12. A 20' wide all-weather road shall be provided to within 150 of the most distant side of the building
13. The building shall be equipped with an automatic fire sprinkler system meeting NFPA 13D standards.
14. Plans for any modification to the building shall be reviewed and approved by the Dixon Fire Department.

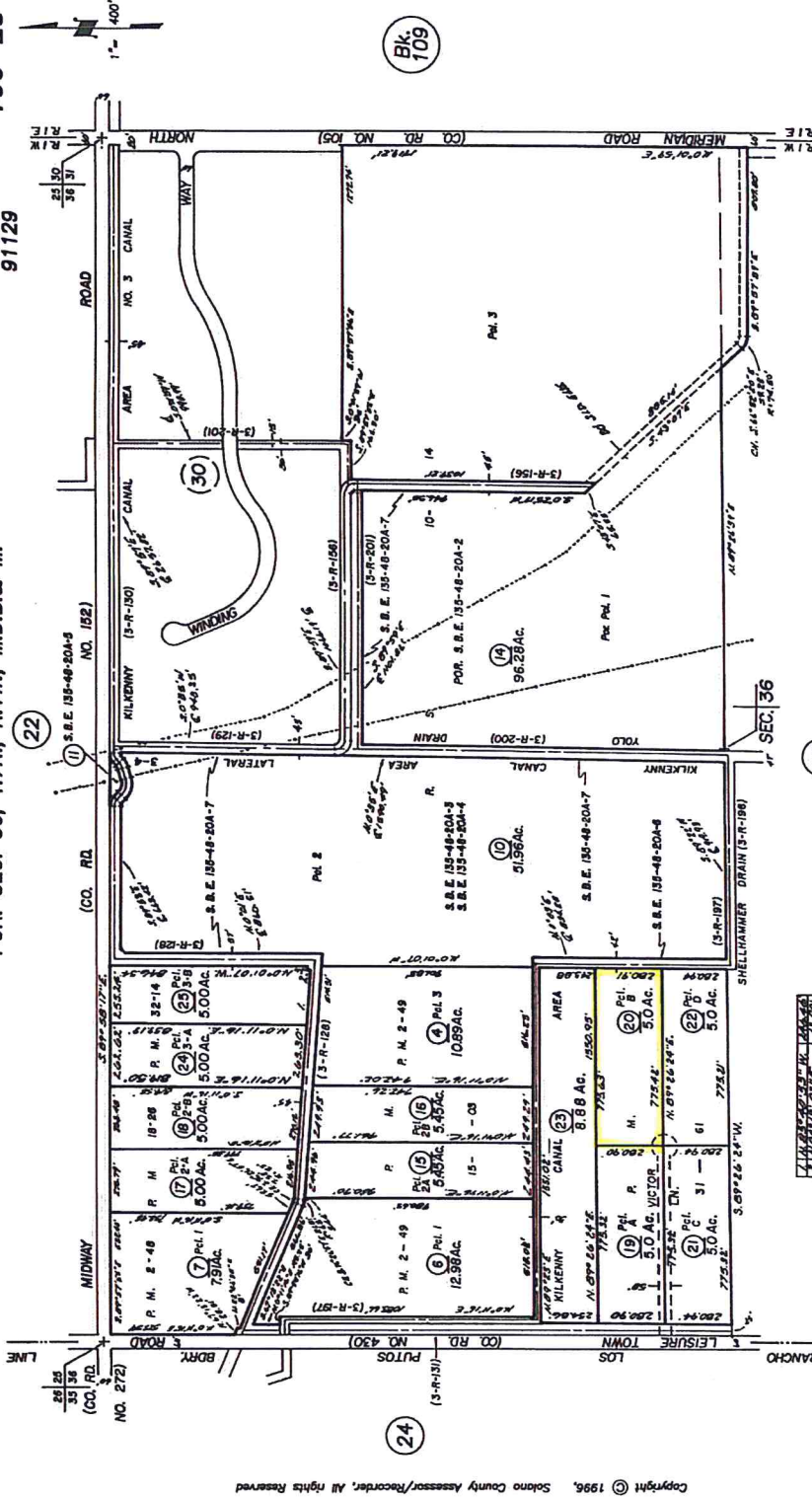
Permit Term

15. 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.

I hereby certify that the foregoing resolution was adopted at the regular meeting of the Solano County Zoning Administrator on October 18, 2018.

BILL EMLLEN, DIRECTOR
RESOURCE MANAGEMENT

Michael Yankovich
Planning Program Manager



Copyright © 1996, Solano County Assessor/Recorder, All rights Reserved

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

SHE.	REV.	DATE	BY
17-008	1-17-17		C
250-24225	12-28-97		IPB
250-18W023	9-21-97		IPB
250-17218	8-18-79		DJ

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