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DEPARTMENT OF RESOURCE MANAGEMENT



**SOLANO
COUNTY**

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ZONING ADMINISTRATOR STAFF REPORT

Application Number:	MU-21-04	Hearing Date:	
CAMS Site Number(s):	312104	Project Planner:	Travis Kroger
Applicant:	GEDNGM LLC Gonzalo Covarubias 26801 Paseo Atrevida . San Juan Capistrano CA 92675	Property Owner:	GEDNGM LLC Gonzalo Covarubias 26801 Paseo Atrevida . San Juan Capistrano CA 92675
Action Requested:			
<p>Consideration of Minor Use permit application MU-21-04 to establish a Vacation House Rental - Hosted located at 4351 Stonefield Lane, a Private Road, 1 mile north of the City of Fairfield in the Exclusive Agriculture (A-20) zoning district, APN 0153-160-140.</p> <p>No other changes to the site or new development are proposed.</p>			
DECISIONMAKER FOR THIS APPLICATION:			
<input type="checkbox"/> Administrative <input checked="" type="checkbox"/> Zoning Administrator <input type="checkbox"/> Planning Commission <input type="checkbox"/> Board of Supervisors			
Applicable Zoning Sections:	Section 28.72.10, Section 28.75.30		
Subject Property Information:			
Parcel Size:	20.6 acres	Site Address:	4351 Stonefield Lane
APN(s):	0153-160-140	CALFIRE State Responsibility Area Designation:	Moderate
Zoning District:	Exclusive Agriculture (A-20)	General Plan Designation:	Agriculture
Ag. Contract:	N/A	Utilities:	Private well and on-site septic system
Adjacent General Plan Designation, Zoning District, and Existing Land Use			
	General Plan	Zoning	
North	Agriculture	Exclusive Agriculture (A-20)	
South	Agriculture	Exclusive Agriculture (A-20)	
East	Agriculture	Exclusive Agriculture (A-20)	
West	Agriculture /Rural Residential	Rural Residential (RR-5)/Exclusive Agriculture (A-20)	
Environmental Analysis	Class I Categorical Exemption CEQA Guidelines Section 15301, minor alteration of existing public or private structures.		
Motion to Approve			
<p>The Zoning Administrator does hereby ADOPT the attached resolution and APPROVE Minor Use Permit MU-21-04, based on the enumerated findings and subject to the recommended conditions of approval.</p>			

BACKGROUND

Existing Development:

The existing structures on the parcel include a primary dwelling, secondary dwelling, swimming pool, and a well house.

Permit History:

Permit Number	Description	Status
G2019-0045	Vineyard Development	Finalized
B2018-0367	Swimming pool and spa	Finalized
G2014-0029	Grading for SFD	Expired
S2014-0027	Septic Permit	Finalized
B2014-0089	Secondary SFDN 1240 sq.ft over new garage 1190 sq.ft.	Finalized
LLA-13-02/CC-13-06	Lot line adjustment to facilitate access	Issued
B2012-0062	Solar PV Roof mount	Finalized
G2011-001	Grading	Finalized
SA2010-009	Septic permit for primary dwelling	Finalized
B2010-0469	New primary dwelling	Finalized
B2010-0430	Pump House - 288 square feet	Finalized
B2009-0601	Electrical service for residential well	Issued

Legal Lot Status:

This parcel is a legal building site created by Major Subdivision S-04-01, Lot Line Adjustment LLA-13-02 and Certificate of Compliance CC-13-06.

Aerial Image:



SETTING

Access: This parcel is accessed via encroachment from Stonefield Lane, a private road.

Surrounding uses: Two vacant parcels (to the north and west), residential development, and a public stable to the north.

PROJECT DESCRIPTION

The existing primary dwelling will be offered for rent, both for periods of 30 days or less and for longer periods if requested. The property owner will occupy the secondary dwelling and serve as the property manager while the primary dwelling is rented, or the caretaker of the property will do so. Since this parcel is accessed via a private road (Stonefield Lane), a Minor Use permit is required even though this is a hosted vacation rental.

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

ZONING & LAND USE CONSISTENCY FINDINGS

General Standards: The existing used and proposed revision meets all standards listed in Section 28.72.10 of the Solano County Code (also see attachment A).

Specific Standards: The proposed Vacation Rental - Hosted meets the requirements of Section 28.81 of the Solano County Code, see attachment E. Per Ordinance adopted April 27, 2021, a Vacation Rental – Hosted located on a private road requires approval of a Minor Use

RECOMMENDATION

Staff recommends that the Zoning Administrator **ADOPT** the mandatory and suggested findings detailed in attachment A and **APPROVE** Minor Use Permit MU-21-04 subject to the recommended conditions of approval.

ATTACHMENTS

- A. Draft Resolution
- B. Conditions of approval
- C. Assessor’s Parcel map
- D. General zoning consistency checklist
- E. Specific zoning consistency checklist
- F. Approved Plans

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

WHEREAS, the Solano County Zoning Administrator has considered Minor Use permit application MU-21-04 to establish a Vacation House Rental - Hosted located at 4351 Stonefield Lane, a Private Road, 1 mile north of the City of Fairfield in the Exclusive Agriculture (A-20) zoning district, APN 0153-160-140 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 August 5, 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.**

This project is located within an area designated Agriculture by the Solano County General Plan Land Use Diagram. The proposed use is conditionally permitted within the A-20 zoning district.

- 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 via encroachment off Stonefield Lane, a private 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 special events 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, minor alteration of existing public or private structures.**

BE IT THEREFORE RESOLVED, that the Zoning Administrator has approved Minor Use permit MU-21-04 subject to the recommended conditions of approval contained in attachment B.

* * * * *

I hereby certify that the foregoing resolution was adopted at the regular meeting of the Solano County Zoning Administrator on August 5, 2021.

Allan M. Calder, Planning Manager
Resource Management

MU-21-04 CONDITIONS OF APPROVAL

General

1. The above use shall be established in accord with the application materials and development plans as submitted with MU-21-04 filed March 15, 2021 and as approved by the Solano County Zoning Administrator.
2. The Vacation Rental - Hosted will maintain a current Solano County Business License for as long as the business remains in operation.
3. 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.
4. Any expansion or change in the use or new or expanded buildings may require a Minor Revision or Amendment to the existing Minor Use permit or a new permit if determined to be necessary by the Director of the Department of Resource Management.
5. The premises shall be maintained in a neat and orderly manner and kept free of accumulated debris and junk.

Specific Conditions

6. **Occupancy and Parking.** Occupancy of the rental dwelling must be limited to two persons per bedroom and two additional persons, not to exceed 10 occupants total. At least 3 off street parking spaces must be provided for use of guests.
7. This dwelling may not be advertised, offered, or used as a special events facility that includes events such as weddings, parties and similar events. No outdoor amplified sound is allowed.
8. Prior to operation or advertising of the Vacation Rental – Hosted, the permittee shall provide a copy of the proposed listing which complies with Section 28.75.30(A)(9) of the Solano County Code, proof of Transient Occupancy Tax registration, and proof of commercial property insurance.

Permit Term

9. 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.

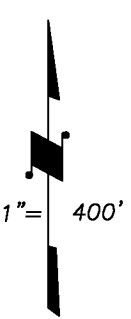
POR. LOT 37, SUISUN RANCHO
 POR. SEC. 19,20 & 30, T.5N., R.2W., M.D.B.& M. EXT.

Tax Area Code

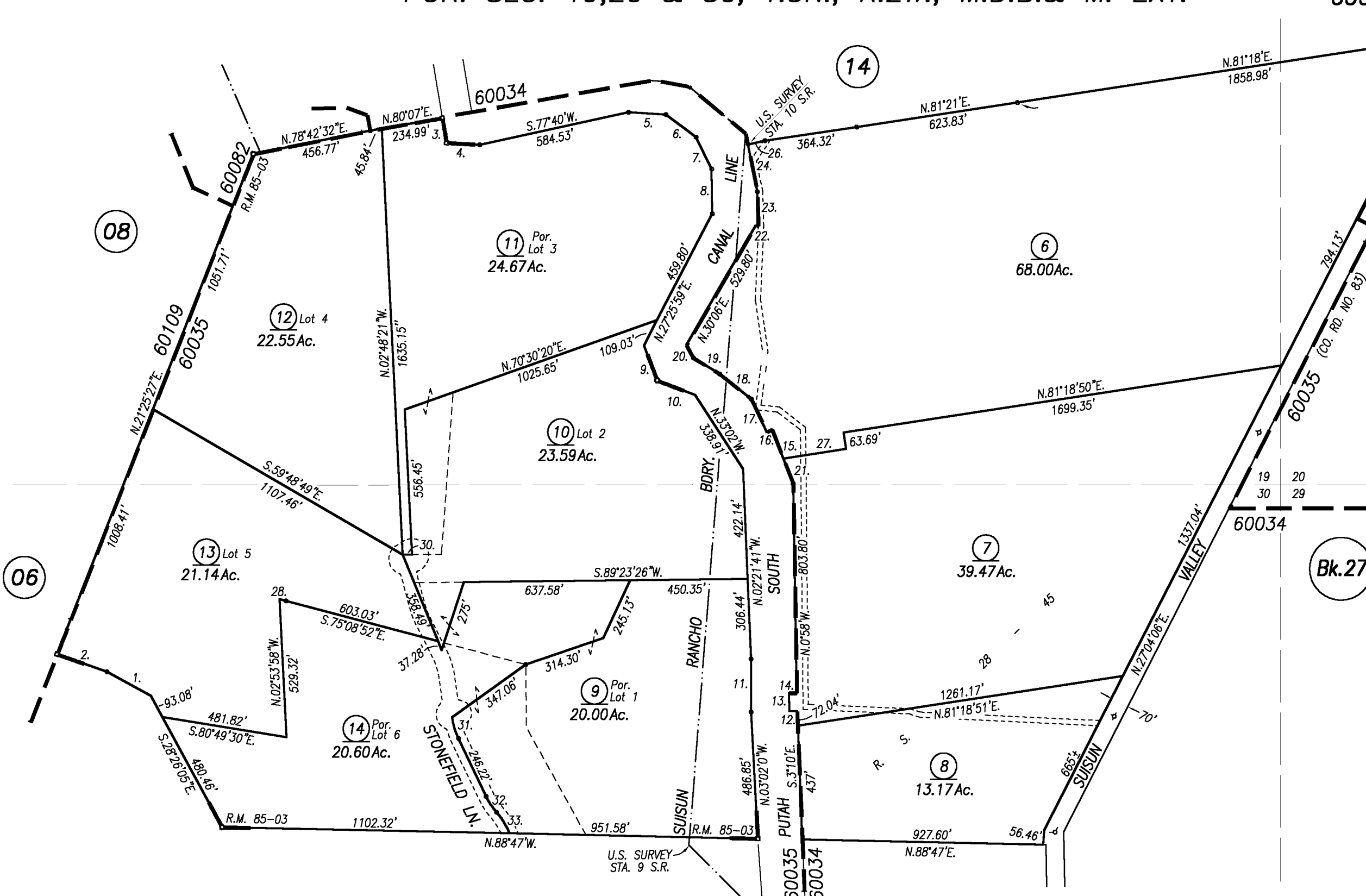
60034
 60035

15

153-16



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1.	N.61°21'21"W.	191.76'
2.	N.70°40'43"W.	203.00'
3.	N.09°36'W.	96.29'
4.	N.86°41'W.	127.20'
5.	N.86°25'25"W.	143.84'
6.	N.53°08'27"W.	143.74'
7.	S.26°04'57"E.	136.50'
8.	S.0°47'43"E.	171.74'
9.	S.20°41'11"E.	143.34'
10.	N.69°08'51"E.	155.31'
11.	S.0°07'57"W.	202.94'
12.	N.80°22'E.	30.00'
13.	S.1°14'E.	69.60'
14.	N.88°48'W.	30.00'
15.	S.21°16'E.	135.82'
16.	N.63°08'E.	22.40'
17.	S.25°09'E.	139.60'
18.	S.51°38'E.	155.50'
19.	S.58°33'E.	117.90'
20.	S.28°21'E.	56.00'
21.	N.21°16'W.	91.98'
22.	S.78°20'E.	10.00'
23.	N.1°38'W.	131.40'
24.	N.11°19'W.	184.72'
25.	S.34°04'47"W.	158.74'
26.	N.77°09'20"E.	67.28'
27.	N.81°18'50"E.	239.62'
28.	S.75°13'48"E.	25.55'
29.		
30.	S.89°19'55"W.	35.08'
31.	R=270°	L= 83.90'
32.	R=270°	L= 72.97'
33.	R=290°	L= 96.00'

160-10,11,14 Chg(Lia)11-26-13	Cr
Adj. Pg.06 (Lia)	6-6-11 Cr
160-09,14(Chg)Lia 12-13-10	JS
160-07,08 Chg.(Rs) 1-24-08	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.

Costanzo Subdivision, R.M. Bk. 85 Pg. 03

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

Assessor's Map Bk. 153 Pg. 16
 County of Solano, Calif.

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General Development Standards Checklist (Section 28.70.10)

No use of land or buildings shall be conducted except in compliance with these general development standards.				
A. Zoning District Standards				
Any use of land or buildings must meet the general development standards described in this section unless more stringent permitting and development standards are delineated in the applicable zoning district.				
B. Performance Standards	YES	MAYBE	NO	N/A
1. Prevent Offensive Noise, Dust, Glare, Vibration, or Odor. All uses of land and structures shall be conducted in a manner, and provide adequate controls and operational management to prevent:				
a. Dust, offensive odors, or vibrations detectable beyond any property line;	x			
b. Noise that exceeds 65dBA LDN at any property line	x			
c. Glint or glare detectable beyond any property line or by overflying aircraft	x			
2. Prevent Storm Water Pollution. Any use of land or buildings shall contain measures to manage storm water to prevent any potential contaminants, processing wastes or by-products from entering any natural or constructed storm water facility or canal, creek, lake, pond, stream or river.				
3. Parking. Adequate off-street parking shall be provided pursuant to Section 28-94; parking areas and driveways shall be treated as necessary to control dust. Parking areas shall not be located any closer than 200 feet to an adjoining property. Shall provide off-street parking in accordance with Section 28-94 in addition to paved parking spaces, aisles and pathways for the disabled in accordance with Building Code.				
4. Removal of Natural Material. Removal of natural material 1) shall prevent offensive noise, dust, vibrations or standing water from occurring beyond any property line; 2) shall not create finished grades of a greater slope than two to one; and 3) shall be so located that generated traffic will not constitute a hazard or nuisance to surrounding property.				
5. Solid Waste and General Liquid Waste Storage and Disposal.				
a. All uses are prohibited from discharging liquid, solid, toxic, or hazardous wastes onto or into the ground and into streams, lakes, or rivers except as allowed by applicable local, State and federal laws and regulations.	x			
b. The handling and storage of hazardous materials, the discharge of hazardous materials into the air and water, and the disposal of hazardous waste in connection with all uses shall be in conformance with all applicable local, State and federal regulations.				x
c. All burning of waste materials accessory to any use shall comply with the Yolo-Solano Air Quality Management District or the San Francisco Bay Area Air Quality Management district based on geographic location of the activity specific to each air quality management district.				x
d. The disposal or dumping of solid wastes accessory to any use, including, but not limited to, slag, paper and fiber wastes or other industrial wastes, shall be in compliance with applicable local, State, and federal laws and regulations.				x
Note: Should the Director of Resource Management believe that a proposed use in any district is likely to violate the performance standards in B.1-8 above, the Director may invoke the performance standard procedures contained in Section 28-95 .				
C. Fairfield Train Station Specific Plan Area				
1. Uses established in the Fairfield Train Station Area, designated an Urban Project Area by the Solano County General Plan shall, be consistent with existing development and considered interim uses which terminate upon annexation to the City of Fairfield.				x

D. Airport Land Use Compatibility Plans	YES	MAYBE	NO	N/A
1. Within an airport area of influence or area of concern depicted in an airport land use compatibility plan adopted by the Solano County Airport Land Use Commission, land uses allowed by this Zoning Ordinance shall conform with the applicable compatibility policies and criteria set forth in that airport land use compatibility plan.				x
E. Other Permits.				
1. Building and Safety Division. The Building Services Division may require a building permit and/or occupancy permit prior to conducting any use authorized by this chapter. A building permit may also be required prior to any change in the occupancy type of a previously permitted building or structure.				
a. Building Permit Required				x
b. Occupancy Permit Required				x
c. Change of Occupancy Required				x
2. Environmental Health Services Division. The Environmental Health Services Division administers a variety of laws and regulations which may require permits prior to conducting specific land uses authorized under this chapter, including:				
a. Food facility permits				
1. Sale and Consumption of Food and Beverage. Any use of land or buildings which provide for the sale and/or consumption of the food or beverage must meet all federal, state and local laws and regulations, including Department of Resource Management Environmental Health Services Division approval (if required) prior to operation.				x
2. Food Preparation. Any use of land or buildings which provide for the sale of prepared food, must meet all federal, state and local laws and regulations, including Department of Resource Management Environmental Health Services Division approval (if required) prior to operation.				x
b. Hazardous materials and waste program permits				x
c. Recreational health facility permits				x
d. Liquid and solid waste permits including septic system permits				x
e. State small water system permits				x
f. Water well permits				x
3. Public Works Engineering Division. The Engineering Services Division administers a variety of regulations which may require permits including:				
a. Encroachment permits				x
b. Grading and drainage permits				x
4. Fire Protection District. Local fire protection districts may regulate certain uses of buildings and land.				x
5. Other Agencies. Certain land uses are subject to laws and regulations administered by federal, state, regional and local agencies and may require additional licenses or permits, prior to conducting the land use. Prior to conducting any land use authorized under this chapter, any other licenses or permits required by any other agency must be obtained.				x



28.75.30 VACATION HOUSE RENTALS

A. General Requirements. Vacation house rentals shall comply with the following general standards:	YES	MAYBE	NO	N/A
1. A dwelling used as a vacation house rental shall meet all of the development standards for dwellings specified in Section 28.72.10(A)(1) and in Tables 28.21B, 28.23B, and 28.31B as applicable to the zoning district. If the dwelling includes a guest house, the guest house shall also meet those development standards.	x			
2. Space used for overnight accommodations as part of a vacation house rental must be located entirely within a dwelling or a dwelling in combination with an approved guest house. Other accessory buildings, recreational vehicles, recreational vehicle parking space, or tents may not be used as a vacation house rental.	x			
3. Overnight occupancy is limited to two persons per bedroom plus two additional persons, not to exceed a total of 10 persons.	x			
4. Three off-street parking spaces shall be provided for all guests. On-street parking is prohibited for any property on which a vacation house is located.	x			
5. A vacation house rental may not be advertised, offered, or used as a special events facility that includes events such as weddings, parties and similar events. No outdoor amplified sound is allowed.	x			
6. A dwelling or guest house may not be used as a vacation house rental if it is the subject of an enforcement action pursuant to any provision of this code.	x			
7. Transient occupancy tax registration and payment are required, pursuant to Chapter 11. A business license is required, pursuant to Chapter 14.	x			
8. The property shall be covered by commercial property insurance.	x			
9. The property owner shall obtain the required permit and complete transient occupancy tax registration prior to advertising or operating the vacation house rental. Online advertisements and/or listings for the vacation house rental shall include the following:				
a. Maximum occupancy, not including children under three	x			
b. Maximum number of vehicles	x			
c. Notification that quiet hours must be observed between 10:00 p.m. and 8:00 a.m.	x			
d. Notification that no outdoor amplified sound is allowed	x			
e. The transient occupancy tax certificate number for that property.	x			
10. Vacation house rentals shall meet all building and fire codes at all times and shall be inspected by the Fire Department before any short-term rental can occur.	x			
11. An exterior display with the name of the property owner or manager and a current contact phone number shall be located near the front door of the rental unit. While a vacation house is rented, the owner or a property manager shall be available 24 hours per day, seven days per week, for the purpose of responding within 45 minutes to complaints regarding the	x			

condition, operation, or conduct of occupants of the vacation house rental or their guests. Items in need of repair may take longer to correct.				
B. Specific Requirements. Vacation house rentals listed below shall comply with the general requirements in subdivision (A) of this section and the following specific standards:				
1. Vacation House Rental, Hosted				
a. A hosted vacation house rental requires the property owner to reside on the property during the vacation house rental period.	X			
b. Only one dwelling may be used as a vacation house rental and the property owner must reside in the other dwelling.	X			