

DEPARTMENT OF RESOURCE MANAGEMENT

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Planning Services Division

**Staff Report
WA-23-04**

Application No. WA-23-04		Notice of Intent mailed out: Yes	
Project Planner: Travis Kroger, Associate Planner		ZA Agenda: September 7, 2023	
Applicant Fritzie Cortes 5406 Vaca Station Road Elmira, CA 95625		Property Owner Same as applicant	
Action Requested Consideration of Neighborhood Compatibility Waiver WA-23-04 to waive the enclosed two (2) car garage requirement for the as-built primary dwelling in favor of one (1) parking space under a covered patio and four (4) uncovered parking spaces adjacent to the driveway and existing dwellings, located at 5406 Vaca Station Road in unincorporated Solano County, within the Residential – Traditional Community 1-acre minimum (RTC-1AC) Zoning District; APN 0142-093-100. The waiver request is regarding the as-built primary dwelling with Building Permit application B2022-0788 also under review.			
Property Information			
Size: 1.81 acres		Location: 5406 Vaca Station Road	
APN: 0142-093-100			
Zoning: Residential – Traditional Community 1-acre minimum (RTC-1AC)		Land Use: Single Family Residence	
General Plan: Traditional Community – Mixed Use (TC-M)		Ag. Contract: N/A	
Utilities: City of Vacaville water and sewer service		Access: Vaca Station Road	
Adjacent General Plan Designation, Zoning District, and Existing Land Use			
	General Plan	Zoning	Land Use
North	Traditional Community – Mixed Use	Residential – Traditional Community 1-acre minimum (RTC-1AC)	Residential
South	Agriculture	Exclusive Agriculture 40-acre minimum (A-40)	Agriculture
East	City	City	Water Treatment Plant
West	Traditional Community – Mixed Use	Residential – Traditional Community 1-acre minimum (RTC-1AC)	Residential
Environmental Analysis The Neighborhood Compatibility Waiver application is a ministerial action, therefore exempt from the provisions of the California Environmental Quality Act per CEQA Section 21080(b)(1).			

Motion to Approve

Staff recommends that the Director **approve** the Neighborhood Compatibility Waiver Application No. WA-23-04.

SITE DESCRIPTION

The subject site, Assessor Parcel Number (APN 0142-093-100), is located at 5406 Vaca Station Road, 0.25 miles east of the City of Vacaville in unincorporated Elmira. The parcel is relatively flat and bordered by Vaca Station Road to the north and east, and Alamo Creek to the south. Access is via existing driveways from Vaca Station Road, and the existing development consists of a shipping container and two (2) dwellings, an as-built primary dwelling and a permitted secondary dwelling.

Figure 1 below is a vicinity map indicating the subject site's location and the parcels which were mailed a Notice of Intent.

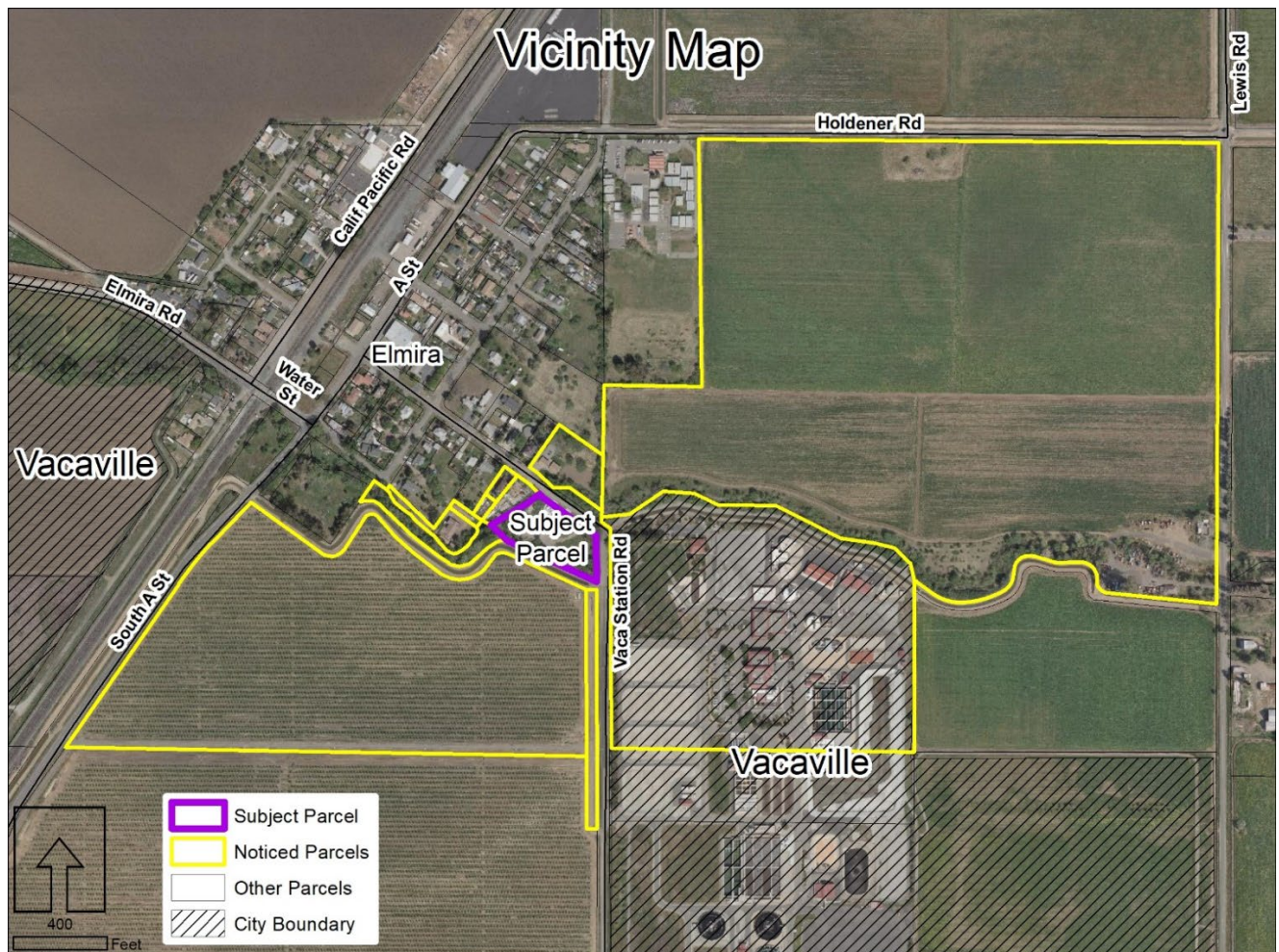


Figure 1 - Vicinity Map

PROJECT DESCRIPTION

Building Permit B2019-0983 for a 2,400 square foot detached garage with an office and restroom was filed on December 4, 2019 and finalized September 21, 2020. The structure was subsequently converted to a dwelling without the benefit of a Building Permit, and the owner has filed an as-built Building Permit B2022-0788 to permit the structure as a Primary Dwelling in response to a notice from the Code

Compliance division. The Building Permit application proposes permitting the existing garage conversion as a 2,560 square-foot primary dwelling with three (3) bedrooms, five (5) restrooms, an office, kitchen and dining room, an attached carport with one parking space, and four (4) additional parking spaces.

Since the existing permitted dwelling is smaller in size, the as-built dwelling must be permitted as a Primary Dwelling and requires an enclosed two-car garage. As proposed, the as-built dwelling meets the development standards for a Primary Dwelling in Section 28.72.10 except for the two-car enclosed garage requirement in Section 28.72.10(B)(1). The applicant has requested this Neighborhood Compatibility Waiver to waive the two-car enclosed garage standard per Section 28.108(A) of the Solano County code and instead provide five (5) parking spaces as described below.

NEIGHBORHOOD COMPATIBILITY ANALYSIS

The parcel is in the unincorporated town of Elmira, where most of the existing dwellings pre-date the current design standards for dwellings, including the enclosed two-car garage requirement. Review of existing dwellings in the surrounding area shows that approximately 1/3 of the existing dwellings have garages that meet the current design standards. Figure 2 below shows the existing and proposed development on the property and the available parking spaces, which include 4 uncovered spaces located behind the front yard setback line, and one covered patio space adjacent to the primary dwelling. As proposed, this parking arrangement is consistent with the conditions in the surrounding area.

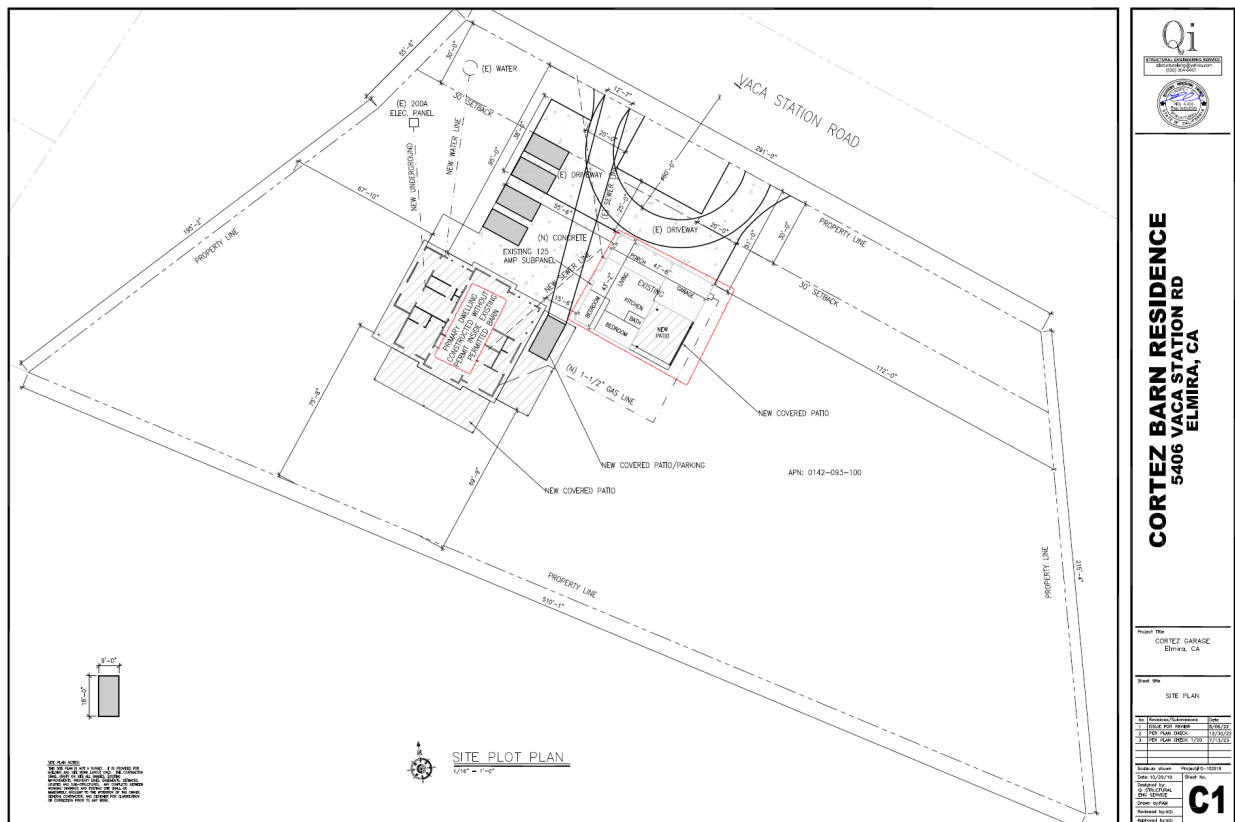


Figure 2 – Site Plan

NOTICE OF INTENT

Pursuant to Section 28.04 (F) Notice for Waivers, a 10-day Notice of Intent has been provided to property owners contiguous to the project location as shown on the latest equalized assessment roll. As of this writing, no objection from any adjacent property owner has been received.

RECOMMENDATION

Based on these findings of neighborhood compatibility, staff recommends that the Director approve Waiver application number WA-23-04 to waive the enclosed two (2) car garage requirement for the as-built primary dwelling in favor of one (1) parking space under a covered patio and four (4) uncovered parking spaces adjacent to the driveway and existing dwellings, located at 5406 Vaca Station Road; APN 0142-093-100.

ZONING ADMINISTRATOR APPROVAL

As Zoning Administrator of Solano County, I, Allan Calder, hereby approve Neighborhood Compatibility Waiver Application No. WA-23-04 and waive the enclosed two (2) car garage requirement for the as-built primary dwelling in favor of one (1) covered parking space and four (4) uncovered parking spaces adjacent to the driveway and existing dwellings, located at 5406 Vaca Station Road; APN 0142-093-100.

Approved by:

Handwritten signature of Allan Calder in black ink.

Allan Calder, Planning Program Manager

Date: September 7, 2023