

Notice of Exemption

Appendix E

To: Office of Planning and Research
P.O. Box 3044, Room 113
Sacramento CA 95812-3044

From: (Public Agency): Solano County
Department of Resource Management
675 Texas Street, Suite 5500, Fairfield, CA 94533

County Clerk
County of Solano
675 Texas Street, 6th Floor
Fairfield CA 94533

(Address)

FILEDProject Title: Cervantes Residential Accessory Structure

MAY - 5 2025

Project Applicant: Steven Pasion

Project Location - Specific:

7371 Locke Road, 0.2 miles north of the City of Vacaville.

Bill Emlen, Clerk of the
Board of Supervisors of
the County of Solano,
State of California
Deputy *Emily Shepherd*

Project Location - City: _____ Project Location - County: Solano

Description of Nature, Purpose and Beneficiaries of Project:

To construct a 5,000 square foot residential accessory structure

Name of Public Agency Approving Project: Solano CountyName of Person or Agency Carrying Out Project: Solano County Department of Resource ManagementExempt Status: **(check one)**:

- ☐ Ministerial (Sec. 21080(b)(1); 15268);
☐ Declared Emergency (Sec. 21080(b)(3); 15269(a));
☐ Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
☒ Categorical Exemption. State type and section number: Section 15303 Class 3 - New Construction
☐ Statutory Exemptions. State code number: _____

Reasons why project is exempt:

The proposed small accessory structure is consistent with the maximum size allowable on the legal parcel and is appurtenant to the residential use of the property.

Lead Agency

Contact Person: Travis Kroger Area Code/Telephone/Extension: 707-784-6765

If filed by applicant:

1. Attach certified document of exemption finding.
 2. Has a Notice of Exemption been filed by the public agency approving the project? ☐ Yes ☐ No

Signature: Travis Kroger Date: 5/1/25 Title: Senior Planner☒ Signed by Lead Agency ☐ Signed by Applicant

Authority cited: Sections 21083 and 21110, Public Resources Code.
 Reference: Sections 21108, 21152, and 21152.1, Public Resources Code.

Date Received for filing at OPR: _____

Document Posted From

5/5/25 to _____

Revised 2011

Deputy Clerk of the Board

**SOLANO COUNTY ZONING ADMINISTRATOR
RESOLUTION NO. 25-04**

WHEREAS, the Solano County Zoning Administrator has considered Minor Use Permit application MU-24-06 by Steve Pasion for Celestino Cervantes to construct a 5,000 square foot residential accessory structure located at 7371 Locke Road, 0.2 miles north of the City of Vacaville in the Rural Residential (RR-2.5) zoning district, APN 0106-210-590; 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 17, 2025; and

WHEREAS, after due consideration, the Zoning Administrator has made the following findings regarding said proposal:

1. **That the establishment, maintenance, or operation of the use or building conforms with the General Plan for the County concerning traffic circulation, population densities and distribution, and other aspects of the General Plan considered by the Zoning Administrator to be pertinent.**

The project site is designated Rural Residential by the General Plan Land Use diagram (Figure LU-1) of the Solano County General Plan. The existing zoning designation of RR-2.5 and lot size of 4.79 acres are consistent with the existing General Plan designation. The proposed use is conditionally permitted within the RR-2.5 zoning district.

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

The site is accessed via Locke Road, a public road and is developed with a residential well and private sewage disposal system. As proposed and conditioned, the existing and proposed facilities and development are adequate for the existing and proposed structures and land use.

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.**

With the proposed conditions, this project 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 Categorical Exemption from the California Environmental Quality Act pursuant to the following:**

The project is exempt from the California Environmental Quality Act under CEQA Guidelines Sections 15303 (Class 3), New Construction or Conversion of Small Structures. Consistent with the Class 3 exemption, the project includes a single new small structure. Section 15303(e) includes as examples of this exemption accessory (appurtenant) structures including, but not limited to, garages, carports, patios, swimming pools, and fences. The proposed storage building

is a small accessory structure, like those listed above, and is appurtenant to the residential use of the property.

With the implementation of standard County conditions of approval, the development and operation of the proposed project is not anticipated to cause significant effects on the environment.

BE IT THEREFORE RESOLVED that the Zoning Administrator has approved Minor Use Permit application MU-24-06 subject to the following recommended conditions of approval:

ADMINISTRATIVE

1. **Land Use.** The proposed land uses shall be established and operated in accordance with the application materials and development plans submitted for Minor Use Permit MU-24-06, revised November 8, 2024, and as approved by the Solano County Zoning Administrator. Approval of this permit would authorize the submittal of a Building Permit application for the proposed new structure and a Demolition Permit application for the existing structure to be removed.
2. **Revisions or Modifications of Land Use.** Pursuant to Section 28.106(I) of the County Code, no additional land uses or activities including new or expanded buildings shall be established beyond those identified on the approved development plan and detailed within the project description without prior approval of a revision, amendment, or new use permit and subsequent environmental review or a determination by the Director of Resource Management that the proposed modification is in substantial compliance with the existing approval.
3. **Indemnification.** By acceptance of this permit, the permittee and its successors in interest agree that the County of Solano, its officers, and employees shall not be responsible for injuries to property or person arising from the issuance or exercise of this permit. The permittee shall defend, indemnify, and hold harmless the County of Solano, its officers, and employees, from all claims, liabilities, losses, or legal actions arising from any such injuries. The permittee shall reimburse the County for all legal costs and attorney's fees related to litigation based on the issuance and/or interpretation of this permit. This agreement is a covenant that runs with the land and shall be binding on all successors in interest of the permittee.
4. **Permits Required.** The Project shall comply with all applicable Solano County Zoning regulations and Building Code provisions and secure all required local, state, regional and federal permits required to operate.
5. **Failure to Comply.** Failure to comply with any of the conditions of approval or limitation set forth in this permit shall be cause for the revocation of the use permit and cessation of the permitted uses at the Permittee's expense.
6. **Exercise of Permit.** The permit shall be deemed exercised once all **required** action items below have been completed and verified by County staff. If the permit is not exercised within one year of the date of issuance, the permittee may request that a one-time extension of one (1) year to exercise the permit be granted by the Zoning Administrator, otherwise the permit will be deemed null and void with no further action.

7. **Permit Term.** This Use Permit is subject to renewal every five (5) years pursuant to Section 28.106(N) of the Solano County Code. Renewal may be granted if said application is received prior to April 17, 2030, and the use remains in compliance with these Conditions of Approval.

| Action Needed - Administrative | | | | |
|--------------------------------|--------------------------|----------------------------|---------------|----------|
| COA # | Required to exercise Y/N | Action | When | Verified |
| 7 above | N | Submit renewal application | Every 5 years | |

OPERATIONAL CONTROLS

8. **Hazard or Nuisance.** 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 residents, visitors, or property in the surrounding areas.
9. **Junk & Debris.** The premises shall be maintained in a neat and orderly manner and kept free of accumulated debris and junk.
10. **Fugitive Dust.** Any access from unpaved dirt roads and with unpaved on-site access roads and parking areas shall control fugitive dust with water trucks, sprinkler system or other practices acceptable to the applicable air quality management district, as needed to prevent airborne dust.
11. **Odor.** The facility shall not cause objectionable odors on adjacent properties.
12. **Lighting and Glare.** All light fixtures shall be installed that have light sources aimed downward and shielded to prevent glare or reflection or any nuisance, inconvenience, and hazardous interference of any kind on adjoining streets or property.

BUILDING AND SAFETY DIVISION

13. **Building Permit Application.** Prior to any construction or improvements taking place, a Building Permit Application shall first be submitted as per Section 105 of the 2022 California Building Code: "Any owner or authorized agent who intends to construct, enlarge, alter, repair, move, demolish, or change the occupancy of a building or structure shall first make application to the building official and obtain the required permit."
14. **Certificate of 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.
15. **Building Permit Plans.** The Building Permit plans shall include a code analysis as listed below and the design shall be under the current California Codes and all current rules, regulations, laws, and ordinances of local, State, and federal requirements. Upon Building Permit submittal, the licensed architect shall provide the following Code Analysis:

- a. Occupancy Classification
 - b. Type of Construction
 - c. Seismic Zone
 - d. Location on Property
 - e. Height of all buildings and structures
 - f. Number of stories
 - g. Occupant Load
 - h. Allowable Floor Area
16. **Plans and Specifications.** Shall meet the requirements as per section 105 of the current 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." Electronic media documents are permitted when approved by the Building Official. Construction documents shall be of sufficient clarity to indicate the location, nature, and extent of work proposed, and show in detail that it will conform to the provisions of this code and relevant laws, ordinance, rules, and regulations, as determined by the building official."
17. Complete calculations signed & stamped by a CA registered professional engineer or architect demonstrating that the structure will be brought into compliance with the 2022 California Building Code.
18. U occupancy buildings (except for agricultural buildings) larger than 3,000 SF require fire sprinklers.
19. For each existing unpermitted structure, either application for a demolition permit is required to remove the structure, or application for a Building Permit is required. The plans shall comply with the 2022 California Building Code and the following design criteria:
- a. **Wind:** Basic Wind Speed 93 MPH, Exposure C.
 - b. **Seismic:** Seismic Design Category D.
 - c. **Snow:** Ground Snow Load 0 pounds per square foot
 - d. **Minimum Foundation Depth:** 12 inches

| Action Needed - Building Division | | | | |
|-----------------------------------|--------------------------|---|-------------------|----------|
| COA # | Required to exercise Y/N | Action | When | Verified |
| 13 above | Y | Submit Building Permit and Demolition Permit applications | By April 17, 2026 | |

ENVIRONMENTAL HEALTH DIVISION

20. The existing septic leachfield has had concrete placed over the beginning portions of the leachlines, the property owner shall monitor the septic system, secure a permit for site and soil testing and have a site and soil evaluation performed for the property. Based on the results of the site and soil testing the consultant shall designate and map the area for

future leachfield replacement. The property owner shall keep the mapped septic reserve area unobstructed and protected against compaction, grading and separated from water drainage on the property. In the event the existing leachfield fails and no longer accepts effluent, the leachfield shall be replaced in the designated septic reserve area under permit from Environmental Health.

21. A Site and Soil Evaluation performed under Environmental Health permit shall be performed within five years of the use permit issuance, or prior to July 1st, 2030, whichever comes first. Once the site and soil evaluation indicates the most viable area for the replacement septic system, the applicant shall ensure that the indicated area is not developed or graded and is immediately available to utilize for the construction of a replacement leachfield area.
22. The leachfield shall be relocated, under Environmental Health permit, upon determination by Environmental Health that the septic system is in a state of failure.

| Action Needed - Environmental Health Division | | | | |
|---|--------------------------|---|---------------|----------|
| COA # | Required to exercise Y/N | Action | When | Verified |
| 21 above20 above | N | Submit site and soil evaluation application | Per condition | |

PUBLIC WORKS DIVISION

23. Grading Permit. The permittee shall apply for, secure, and abide by the conditions of a grading permit for any grading on the property including, but not limited to, building site preparation, access improvements, parking areas, and walkways, as well as any onsite grading exceeding a total of 5,000 square feet. Plans should include the following information:
 - a. Provide a cross section detail of any proposed ditch or swale showing dimensions and sizing.
 - b. Show where the ditch/swale will flow to.
 - c. The ditch/swale should show capacity for a 10-year design storm.
 - d. Show where surface flow will drain to.
 - e. Include the discharge created by added impervious surface.
 - f. Show that post development discharge does not exceed pre-development discharge for a 100-year design storm.

VACAVILLE FIRE DISTRICT

24. All requirements of the Vacaville Fire District shall be met.

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I hereby certify that the foregoing resolution was adopted at the regular meeting of the Solano County Zoning Administrator on April 17, 2025.

JAMES BEZEK, DIRECTOR
RESOURCE MANAGEMENT

A handwritten signature in black ink, reading "Allan Calder". The signature is written in a cursive, flowing style. The first name "Allan" is written with a large, prominent "A" and "l". The last name "Calder" is written with a large "C" and "l". The signature is positioned above a horizontal line.

Allan M. Calder, Planning Manager
Department of Resource Management