

**Staff Contact:  
Tyra Hays  
(707) 449-5366**

**TITLE: RANCHO ROGELIO PLANNED DEVELOPMENT  
MODIFICATION, AND THE RESERVE AT BROWNS  
VALLEY HOUSE PLANS AND MODEL HOME COMPLEX**

**REQUESTS: APPROVE THE RANCHO ROGELIO PLANNED  
DEVELOPMENT MODIFICATION AND APPROVE THE  
HOUSE PLANS AND MODEL HOME COMPLEX FOR THE  
RESERVE AT BROWNS VALLEY**

**RECOMMENDED ACTIONS: REAFFIRM THE PREVIOUS ENVIRONMENTAL  
ASSESSMENT FOR RANCHO ROGELIO, APPROVE THE  
MODIFICATION TO THE RANCHO ROGELIO PLANNED  
DEVELOPMENT, AND APPROVE THE RESERVE AT  
BROWNS VALLEY HOUSE PLANS AND MODEL HOME  
COMPLEX**

**APPLICATION INFORMATION**

<b>APPLICATIONS AND FILE NO.</b>	Planned Development Modification Reaffirmation of Previous Environmental Assessment File No. 13-042
<b>APPLICANT:</b>	Standard Pacific Homes
<b>PROPERTY OWNER:</b>	Standard Pacific Homes

**PROPERTY INFORMATION**

<b>APPROVED AS:</b>	Rancho Rogelio Tentative Map & Planned Development
<b>LOCATION:</b>	7019 Browns Valley Road - the southwest corner of Browns Valley Road and Whispering Ridge Drive
<b>SITE AREA:</b>	20.93 Acres
<b>ZONING:</b>	RE-1, Residential Estates – 1 acre minimum, RE-10, Residential Estates, 10,000 square foot lot size, OS, Open Space
<b>GENERAL PLAN DESIGNATION:</b>	Residential Estates (0.5 – 3.0 units per acre)
<b>CURRENT LAND USE:</b>	Vacant
<b>ADJACENT ZONING &amp; USE:</b>	West: RE-10 (Cheyenne Subdivision) South: Agriculture (Vacant VUSD Property) North: RE-10 (Cheyenne Subdivision) East: Agriculture (Ranchettes)
<b>UTILITIES:</b>	To be extended to the site

## **RANCHO ROGELIO PROJECT SUMMARY**

NUMBER OF LOTS:	40 Lots
DENSITY:	2 Units per Acre
MINIMUM LOT AREA:	10,000 Square Feet
NUMBER OF HOUSE PLANS:	5
NUMBER OF ELEVATIONS:	4 per Plan
BUILDING SQUARE FOOTAGE:	2,674– 4,024 Square Feet
OFF-STREET PARKING:	Two & Three Car Garages
BUILDING HEIGHT:	One and Two-Story
BUILDING MATERIALS:	Siding: Primarily Stucco, with wood and stone accents Roofing: Concrete Tile
REQUIRED SETBACKS:	Front: 25 Feet Sides: 10 Feet Rear: 20 Feet
ACCESS:	Whispering Ridge Drive & from future VUSD Development connecting to McMurtry Lane

## **BACKGROUND DISCUSSION**

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On June 27, 2006, the City Council approved the Rancho Rogelio Subdivision Mitigated Negative Declaration, Zone Map Amendment, Tentative Map, Planned Development and Development Agreement. The Rancho Rogelio Tentative Map and Planned Development approvals are still valid as a result of one City approved time extension, and four State legislative actions that automatically granted Tentative Map time extensions. The Planned Development approval was extended to correspond with the Tentative Map approval with the approval of Ordinance 1826, which automatically extends Planning approvals associated with valid tentative maps extended through State legislation. *(For more information pertaining to the aforementioned State legislation and ordinance, refer to the "Previous Actions" section of this report.)*

The Rancho Rogelio development, located at the southwest corner of Browns Valley Road and Whispering Ridge Drive, consists of 40 single family residential lots on 20.93 acres. A location and zoning map is attached as Exhibit C. Thirty-nine of the residential lots will have a minimum size of 10,000 square feet. The residential lot located adjacent to Browns Valley Road will have a minimum size of one acre. All residential lots will be oriented towards interior streets, and no homes will utilize Browns Valley Road or Whispering Ridge Drive for direct access. Four cul-de-sacs will stem from Wild Sage Drive, the proposed collector street that will link this project to the Cheyenne Subdivision to the north, and the vacant property owned by the Vacaville Unified School District to the south.

Upon recordation of the final map, the developer will dedicate approximately 4.72 acres of land to construct a regional storm water detention basin capable of retaining 16.1-acre feet of storm water run-off. This detention basin, proposed immediately adjacent to Browns Valley Road at the southeast corner of the property, will relieve localized and downstream flooding. Grading of the site began in October, which included grading the regional detention basin.

## PROJECT DESCRIPTION

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The applicant is currently requesting to amend the existing Rancho Rogelio Planned Development to permit front yard setback reductions to accommodate side-entry garages proposed with two house plans, and to approve deviations to the required lot dimensions for two lots. The proposed side-entry garages are required by the Planned Development.

In addition, the applicant is proposing house plans and a model home complex for The Reserve at Browns Valley – the marketing name for the Rancho Rogelio project. Five house plans, each with four elevations, are being proposed. The house plans range from 2,674 to 4,024 square feet in size. The house plans have been attached as Exhibit G, and the general characteristics of each plan are summarized below.

House Plan	Floor Area (sq. ft.)	Floor Plan*	Options
1	2,674	One story, 3 bedrooms, with an optional 4 <sup>th</sup> bedroom or office, 3 bathrooms, technology area	Standard Outdoor California Room
2	3,101	Two stories, 4 bedrooms, 3 bathrooms, loft, formal dining room	Optional Upper Deck and Optional Outdoor California Room
3	3,162	One story, 4 bedrooms, 3 bathrooms, formal dining room	Optional Outdoor California Room
4	3,855	Two stories, 4 bedrooms with a downstairs 5 <sup>th</sup> bedroom suite, 4 bathrooms, formal dining room, loft, technology area	Standard Outdoor California Room
5	4,024	Two stories, 4 bedrooms with a downstairs 5 <sup>th</sup> bedroom suite, 4 bathrooms, formal dining room, loft, courtyard	Optional Upper Deck and Optional Outdoor California Room

\*Other standard features of each floor plan include great rooms, kitchen nooks, pantries, walk-in closets, service rooms, and launch rooms.

A model home complex, with a sales trailer, is included with this project proposal. The applicant is proposing to construct the model home complex in two phases. Phase 1 includes constructing house models on Lots 3, 4, and 5 and installing the sales trailer on Lot 6, which is the one-acre custom home lot. Phase 2 includes constructing the remaining two house models on Lots 7 and 8. Phase 2 will happen if and when the housing market warrants it. A copy of the proposed model home complex layout is attached as Exhibit F.

## **PREVIOUS ACTIONS**

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October 2013 – A grading permit was issued by the City, and grading commenced on the project site. This action includes grading of the regional detention basin and grading of the 40 residential lots.

August 28, 2013 – The Williamson Agricultural Preserve Contract that existed on the project site was formally cancelled following the August 27, 2013 meeting of the City Council where the Council authorized the Community Development Director to execute and record the Certificate of Cancellation of Agricultural Preserve Contract No. 191 for the Roger's Property (Rancho Rogelio Subdivision).

July 11, 2013 – Assembly Bill 116 (Bocanegra) was approved, which automatically extended valid tentative maps approved after January 1, 2000 by 24 months.

July 15, 2011 – Assembly Bill 208 (Fuentes) was approved, which automatically extended tentative maps valid on July 15, 2011 and would expire before January 1, 2014 by 24 months.

January 1, 2010 – The City Council adopted Ordinance 1826, which automatically extends Planning approvals associated with valid tentative maps extended through State legislation. This action does not pertain to Development Agreements or building allocations associated with the Planned Growth Ordinance. Ordinance 1826 is codified in Chapter 14.09.072 of the Land Use and Development Code.

July 15, 2009 – Assembly Bill 333 (Fuentes) was approved, which automatically extended tentative maps valid on July 15, 2009 and would expire before January 1, 2012 by 24 months.

August 5, 2008 – The Planning Commission approved a one-year time extension for the Rancho Rogelio Tentative Map and Planned Development. (*Rancho Rogelio did not qualify for the automatic time extension granted by SB 1185.*)

July 15, 2008 – Senate Bill 1185 (Lowenthal) was approved, which automatically extended tentative maps valid on July 15, 2008 and would expire before January 1, 2011 by 12 months.

July 11, 2006 – The Rancho Rogelio Zone Map Amendment and Development Agreement was approved by City Council.

June 27, 2006 – The Rancho Rogelio Tentative Map, Planned Development, and Mitigated Negative Declaration and Mitigation Monitoring Plan was approved by City Council. The ordinances approving the Rancho Rogelio Zone Map Amendment and Development Agreement were introduced at this meeting.

September 13, 2004 – The project site was annexed into the City as part of the Browns Valley Road Annexation No 5 approval.

## PROJECT ANALYSIS

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### 1. Planned Development Modification

A Planned Development application was approved for the project site in June 2006. Resolution 2006-70 and the Rancho Rogelio Tentative Map and Planned Development conditions of approval are attached as Exhibit B. The applicant is proposing to amend the Planned Development approval to include provisions to permit reduced front yard setbacks to accommodate side-entry garages, and to permit deviations to the required lot dimensions for the one-acre custom home lot (Lot 6) located within the development, adjacent to Browns Valley Road, and the required width for a corner lot (Lot 19) located within the interior of the project.

- a. **Front Yard Setbacks:** The RE-10 zoning designation requires 25-foot front yard setback, 20-foot front yard setbacks to unenclosed porches, 10-foot side yard setbacks, and 20-foot rear yard setbacks. The applicant is requesting that front yard setback reductions be permitted for 12 of the following 13 lots in order to accommodate side-entry garages while maintaining large, usable rear yards. Lot 39\* requires a front yard setback reduction in order to address its unique flag-lot configuration. The proposed home will not be visible from the main collector street within the residential subdivision. The preliminary development plan is attached as Exhibit G.

- Lot 4 – 20 feet
- Lot 5 – 16 feet
- Lot 10 – 17 feet
- Lot 11 – 20 feet
- Lot 15 – 22 feet
- Lot 17 – 15 feet
- Lot 19 – 20 feet
- Lot 26 – 20 feet
- Lot 27 – 15 feet
- Lot 30 – 15 feet
- Lot 31 – 15 feet
- Lot 35 – 20 feet
- Lot 39\* – 15 feet

Staff recommends that the Planning Commission approve these setback adjustments based on the following:

1. The Rancho Rogelio Planned Development contains a condition of approval that states (in part): Three- and four-car garages shall contain varying setbacks and/or the third and fourth garages shall be separated from the primary two-car garage. The proposed setback reductions help the applicant comply with this condition of approval.
2. The setback reductions are being requested for side-entry garages proposed with House Plans 4 and 5. The living space for Plan 4 is located an additional 24-feet behind front plane of the side-entry garage, and the living space for Plan 5 is located an additional 16-feet behind the front plane of the side entry garage.
3. There are compensating (larger) side or rear yard areas on the lots which will offset the requested reductions. Nearly all the lots provide more than the required minimum 20-foot rear yard setback, and more than the required 10-foot side yard setback. For

example, Lot 31 is proposed with a 15-foot yard setback to the side entry garage, and provides a 15-foot and 13-foot side yard setback and a 35-foot rear yard setback.

4. Varying the setbacks will reduce an artificial “canyon” appearance resulting from larger numbers of garage doors facing the street and will provide visual interest along the streetscape.
  
- b. **Lot 6 Lot Dimensions.** The RE-1 zoning designation requires one acre lots measuring at least 150-foot wide and 200 feet deep, and for each lot to have a street frontage measuring at least 100-feet in width. Lot 6 within the development is a one-acre custom home lot measuring approximately 330-feet wide at its widest point, and 162-feet deep, with a 60.4-foot street frontage. These measurements are substantially consistent with the dimensions identified on the approved Tentative Map, which also anticipated modifications to the required lot dimensions.

Staff recommends that the Planning Commission approved the proposed lot dimensions for Lot 6 based on the following: (1) the proposed lot dimensions are in substantial compliance with the approved Rancho Rogelio Tentative Map; (2) the lot meets the minimum one-acre requirement; (3) the lot is somewhat pie-shaped with the narrowest part of the lot facing the interior of the project, and the widest part abutting Browns Valley Road; and (4) the width of the lot far exceeds the 150-foot minimum, and provides adequate space for a large custom home to meet all the setbacks.

- c. **Lot 19 Lot Dimensions.** The RE-10 zoning designation requires standard lots to measure at least 80-feet wide by 100-feet deep. Corner lots are required to measure at least 90-feet wide by 100-feet deep. The reason corner lots are required to be wider than standard lots is: (1) to make them wide enough to accommodate utility easements, which are typically between 5- to 10-feet wide and are placed adjacent to the public right-of-way; (2) to create sufficient space to place privacy fences outside of the view corridor of vehicular traffic; and (3) to create a lot large enough to meet the required setbacks while accommodating (1) and (2) above.

The applicant is requesting that one corner lot (Lot 19) be permitted to measure 85-feet wide. Staff supports this request because 1) the lot meets the minimum 10,000 square foot minimum, and (2) the proposed street-side yard setback exceeds the required 15-foot setback from the side property line located adjacent to the street.

## 2. Consistency with General Plan Policies

The project is located within the Rice McMurtry development area. Design and development criteria are identified in Policy 2.3 – I 23 of the General Plan Land Use Element (Exhibit D).

- a. All new residential development within the Rice-McMurtry development area shall be of superior quality and design, according to this policy. All the homes must be either custom or semi-custom. The development is required to provide large lot, custom, and high-end housing opportunities.

The approved Rancho Rogelio Planned Development, with its conditions of approval, is consistent with all aspects of the General Plan, including the aforementioned General Plan policy. By demonstrating consistency with the conditions of approval found in the

Rancho Rogelio Planned Development, except as modified by this action, the proposed house plans are consistent with the General Plan.

- b. Policy 2.3- I 23 states, *All requirements of the Fire Department for protecting the homes from wildland fires shall be integrated into the final project plans.* Consistent with this General Plan policy, the Rancho Rogelio Tentative Map and Planned Development contains conditions of approval that are consistent with Chapter 14.20.290 of the Land Use and Development Code, *Development Standards for New Construction Adjacent to Open Space Land Where Wildfire is a Threat.* Improvement Plans submitted for the project will be subject to the review and approval of the Fire Chief to ensure compliance with the conditions of approval related to aforementioned Fire Ordinance.

### 3. Consistency with Conditions of Approval Addressing House Plans

In addition to the design criteria requirement by the General Plan, the Rancho Rogelio Planned Development contained architecture and house plan conditions of approval that require that the project comply with the following criteria:

- a. *There shall be no more than four homes within the entire Rancho Rogelio Subdivision with the same floor plan/elevation combination. This requirement can be achieved by providing four floor plans, each with three elevations, or by utilizing a similar combination of floor plans and elevations. Homes with the same floor plan and elevation combination shall be placed away from each other in different sections of the subdivision. Under no circumstances shall the same home be placed more than once on a specific street. In addition, reverse floor plans shall not be placed side by side.*

The applicant exceeds these criteria by proposing five house plans, each with 4 elevations. There are 20 possible floor plan/elevation combinations for the 39 semi-custom lots located within the development. No home with the same floor plan/elevation combination will be repeated more than two times within the development.

- b. *At least two house plans shall be single story.*

Five house plans are being proposed: two one-story plans and three two-story plans. Plan 1 is a 2,674 square foot, single story house plan, and Plan 3 is a 3,162 square foot, single story house plan. The proposal is consistent with this requirement.

- c. *Elevations provided for each house plan shall be significantly different. This can be accomplished by utilizing variations in the roof lines; combining one and two story architectural elements; varying the siding and roofing materials; constructing architectural features such as enhanced entry features, porches, columns, dormers, shutters, chimneys, balconies, etc.; and varying the garage configurations and setbacks.*

The applicant is proposing five house plans, each with four elevations: European Cottage, Spanish, Tuscan and Bay Area Bungalow. The four proposed elevations contain the following details, each with three color schemes:

- European Cottage – Flat, slate-style roofing, decorative metal, brick and stone accents.
- Spanish – “S”-style tile roofing, decorative clay pipes, metal and Latin tile accents.
- Tuscan - “S”-style tile roofing, brick and stone accents.
- Bay Area Bungalow – Flat, shake-style concrete roof and decorative stone.

Porches, columns, dormers, shutters, one and two story elements, and variations in the rooflines are proposed to provide significantly different distinguishing features between the various elevations.

d. *Front elevations shall de-emphasize the appearance of the garages. A minimum of two house plans in the Rancho Rogelio subdivision shall exhibit side-entry garages; detached garages; tandem garages; and/or garages set back from the front plane of the home. Three- and four-car garages shall contain varying setbacks and/or the third and fourth garages shall be separated from the primary two-car garage.*

- Plan 1 includes a two-car garage set back three feet behind the front elevation of the house.
- Plan 2 includes a two-car garage set back nine feet from the front elevation of the house.
- Plan 3 includes a three-bay tandem garage. The two-car garage is even with the protruding architectural section of the front elevation.
- Plan 4 includes a side-entry two-car garage, and a separate one-car garage that is recessed nearly four feet behind the front elevation of the house.
- Plan 5 includes a side-entry one-car garage, and a separate two-car garage that is recessed 16 feet behind the front elevation of the house. The configuration of the two garages creates a courtyard entrance for this house plan.

e. *All structures, particularly those backing onto Browns Valley Road, the Collector Street, and/or public open space shall contain enhanced side and rear elevations equal to the quality of the architecture of the front elevations. Large, unbroken wall planes shall not be permitted.*

The only lot backing onto Browns Valley Road within the Rancho Rogelio development is the one-acre custom home lot, which is not being proposed at this time. A future Design Review application will be required for the custom home to ensure it meets the design and development criteria identified in the original Ranch Rogelio Planned Development approval.

Several homes within the development back or side onto Whispering Ridge Drive, Wild Sage Drive, and/or permanent open space. As such, the applicant is proposing enhanced elevations for all the homes within the development. There will be no large, unbroken wall planes. Architectural features such as enhanced roof variations and details, decorative vents, enhanced door and window trim, shutters and decorative windows are proposed on side and rear elevations consistent with the proposed front elevations. The house plans are consistent with this requirement.

f. *Each home shall contain a decorative driveway(s). Examples of decorative features include, but are not limited to: stamped patterns; colored concrete; borders; etc. Decorative driveway designs shall be subject to review and approval by the City Planner during the review process for the proposed house plans.*

The applicant is proposing decorative driveways. Therefore the project is consistent with this requirement.

#### 4. Compliance with the Residential Design Requirements

The proposed project is consistent with the *Residential Design Requirements For New Single Family Development* section of the Land Use and Development Code. Some of the requirements such as common driveways, and private open spaces would not apply, or be appropriate with respect to the proposed project. The section below addresses some the applicable standard requirements for residential design.

##### 1. Distribution of House Plans

House plans are required to be evenly distributed throughout the subdivision, and the individual house plans are required to be planned on lots to visually emphasize the architectural diversity of the residential development. The applicant is proposing the following housing mix: (*This mix does not include Lot 6, which is a custom home lot*).

- Plan 1 (20%)
- Plan 2 (20%)
- Plan 3 (18%)
- Plan 4 (20%)
- Plan 5 (20%)

##### 2. House Plan on Adjoining Lots

The same house plan is not permitted to be placed on adjoining lots, except if approved on a cul-de-sac and has a sufficiently different architectural elevation; or if located on typical street, the adjoining lots include reverse floor plans and have different front elevations.

The master plotting plan shows three homes, located on Greenfield Court, with the same floor plan (Plan 5). However, the three homes have different elevations, one of the house plans has been reversed, and the Plan 5 model located at the end of the court has been set back 38-feet from the front setback. The proposed development plan meets the requirements of the Land Use and Development Code.

##### 3. One and Two-Story Plans in a Row

No more than four one-story or two-story houses plan in a row on the same side of the street are permitted, except in approved cul-se-sac situations. The proposed plotting plan is consistent with this requirement.

##### 4. Front Setback Variation

The Rancho Rogelio Planned Development contains a condition of approval requiring varying garage configurations and setbacks. The minimum front yard setback for the RE-10 zoning district is 25 feet to the house, and 20 feet to an unenclosed porch.

The applicant is proposing setbacks ranging from 15 feet to 39 feet. Providing variation along the front setbacks will eliminate the “artificial canyon” appearance that often occurs along streetscapes when all the homes are setback the same distance.

##### 5. Mix of One and Two-Story Units

All residential subdivisions required to be comprised of at least 25% single story homes. The 40-lot project is proposed with 40% single story homes. This percentage includes the custom home lot (Lot 6), which is limited to one-story in height by General Plan Policy 2.3 – I 23, and the Rancho Rogelio Planned Development conditions of approval.

6. Lot Coverage

Maximum lot coverage within the RE-10 zoning district is 40 percent. All the lots within the Rancho Rogelio subdivision are at least 10,000 square feet in size. Plan 3 has the largest footprint, which measures 3,162 square feet. The maximum lot coverage proposed for this project, not including future accessory structures, is approximately 32 percent. The proposed house plans are consistent with this requirement.

## **NEIGHBORHOOD MEETING**

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A neighborhood meeting was held on October 23, 2013 to review and discuss the proposed house plans. This meeting also included review and discussion of the house plans proposed for the Cheyenne Subdivision. The decision to hold a dual purpose neighborhood meeting was made due to the adjacent location of the two residential projects. There were no comments made pertaining to the proposed house plans for The Reserve at Browns Valley subdivision. The meeting was primarily focused on the status of the existing Cheyenne subdivision and the status of required off-site roadway and water system improvements.

## **DEVELOPMENT AGREEMENT**

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On July 11, 2006, the City Council approved Ordinance No. 1763 approving the Development Agreement for the Rancho Rogelio project. This Agreement is no longer valid because the a final map for Rancho Rogelio was not recorded, and site improvements did not take place within the required three year time frame stated within the Agreement. Unlike other Planning approvals, such as Planned Development and Design Review approvals, Development Agreement terms were not extended along with the automatic Tentative Map time extensions granted by State legislation. Each Development Agreement includes its own negotiated approval period and termination clause.

Despite termination of the Agreement, the Rancho Rogelio development project still has a valid Tentative Map and Planned Development. These approvals expire on June 27, 2016. Standard Pacific Homes acquired the Rancho Rogelio project site earlier this year, and desires to construct the project as approved. As a result, Standard Pacific has agreed to comply with the Tentative Map and Planned Development conditions of approval, and to comply with the provisions of the Rancho Rogelio Development Agreement. The Rancho Rogelio Planned Development is being modified to include a condition of approval to reflect this agreement between the City and Standard Pacific Homes to comply with the provisions of the Rancho Rogelio Development Agreement, dated July 11, 2006 and recorded on February 8, 2007.

## **ENVIRONMENTAL REVIEW**

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### **Reaffirmation of Previous Mitigated Negative Declaration**

The previous environmental review resulted in a Mitigated Negative Declaration and Mitigation Monitoring Program for Rancho Rogelio, approved by the City Council on June 27, 2006. The environmental document was circulated in 2006 through the State Clearinghouse (SCH 2006042060) and to all properties within 600 feet of the project site. No comments were received.

The study indicated that the project has minimal potential for environmental impact once mitigation measures are implemented. The areas that were more closely studied were those related to: aesthetics, biological resources, hydrology and drainage, public services, cultural resources, noise and air quality. The site contains wetlands; however, the Tentative Map has received permits from the Army Corp of Engineers and the Regional Water Quality Control Board approving construction of the project with avoidance measures to preserve the wetlands.

Analytical Environmental Services (AES), an environmental consulting firm, was hired by the City to review and evaluate the adequacy of the previously approved Rancho Rogelio Mitigated Negative Declaration and the 2004 Rice McMurtry Annexation and Residential Development Project Environmental Impact Report (2004 EIR); the document from which the Mitigated Negative Declaration tiered. Following the review and evaluation of these documents, the City has determined that no additional environmental documentation is necessary for this project. AES's analysis is further discussed in the attached memorandum (Exhibit E).

## **RECOMMENDATION**

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That the Planning Commission adopt Resolutions No. 13-042, reaffirming the previous environmental assessments for the Rancho Rogelio residential projects, and approving the Planned Developments Modification for the Rancho Rogelio project, and The Reserve and Browns Valley house plans and model home complex, subject to the conditions of approval.

ATTACHMENTS:      Resolution 13-042  
                            Exhibit A – Conditions of Approval  
                            Exhibit B – Resolution 2006-70 and the Rancho Rogelio Tentative Map and  
  Planned Development Conditions of Approval  
                            Exhibit C – Location Map/Zoning Map  
                            Exhibit D – Policy 2.3 – I 23 of the General Plan  
                            Exhibit E – AES CEQA Analysis Memorandum  
                            Exhibit F – Model Home Complex Layout  
                            Exhibit G – Preliminary Development Plan  
                            Exhibit H – House Plans

**RESOLUTION NO. 13-042**

**RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF VACAVILLE  
REAFFIRMING THE MITIGATED NEGATIVE DECLARATION FOR RANCHO ROGELIO,  
APPROVING THE MODIFICATION TO THE RANCHO ROGELIO PLANNED DEVELOPMENT,  
AND APPROVING THE RESERVE AT BROWNS VALLEY HOUSE PLANS AND MODEL  
HOME COMPLEX**

**WHEREAS**, the Planning Commission of the City of Vacaville conducted a hearing on November 19, 2013, to consider a request for the Modification to the Rancho Rogelio Planned Development and approval of The Reserve at Browns Valley House Plans and Model Home Complex relating to the following described property:

7019 Browns Valley Road  
APN: 123-040-010

**WHEREAS**, on July 11, 2006, the City Council of the City of Vacaville unanimously approved Ordinance No. 1762 approving the Zone Changes within the Rancho Rogelio Project Area; and

**WHEREAS**, on July 11, 2006, the City Council of the City of Vacaville unanimously approved Ordinance No. 1763 approving the Development Agreement by and between the City of Vacaville and Private Island Homes, Inc., for the proposed development within the Rancho Rogelio Project Area; and

**WHEREAS**, on June 27, 2006, the City Council of the City of Vacaville unanimously approved Resolution No. 2006-69 approving the Mitigated Negative Declaration and Mitigation Monitoring Plan for the Rancho Rogelio Project; and

**WHEREAS**, on June 27, 2006, the City Council of the City of Vacaville unanimously approved Resolution No. 2006-70 approving the Planned Development and Tentative Subdivision Map for the Rancho Rogelio Projects; and

**WHEREAS**, the public hearing before the Planning Commission was duly noticed in accordance with applicable state law and the Vacaville Development Code requirements; and

**WHEREAS**, on November 19, 2013, Planning Commission received testimony from City staff, the applicant, and interested persons regarding the proposed project; and

**WHEREAS**, the Planning Commission has reviewed the written record for a reaffirmation of the 2006 Mitigated Negative Declaration for the Rancho Rogelio Project and, on the basis of the factual information, approves a reaffirmation of the previous environmental assessment, based on the following findings:

1. That the activity is within the scope of the project covered by the previously approved Rancho Rogelio Mitigated Negative Declaration;
2. That no new significant effects would occur or no new mitigation measures would be required;

3. That feasible mitigation measures or alternatives adopted with the previous Rancho Rogelio Mitigated Negative Declaration have been incorporated into the project approval; and
4. That no new environmental document would be required.
5. Environmental permits required by the Rancho Rogelio Mitigated Negative Declaration have been obtained by the Standard Pacific and submitted to the City.

**WHEREAS**, The Planning Commission has reviewed the request for the Reserve at Browns Valley House Plans and Model Home Complex and request for a Modification to the Rancho Rogelio Planned Development and finds:

1. That the proposed change is of a nature that does not require the complete redesign and re-submittal of the original project;
2. That the proposed change is consistent with the original project;
3. That the proposed change does not result in lack of compliance with the development standards approved with the original project;
4. That the proposed change is consistent with the findings for a design review approval;
5. That the proposed change is consistent with the goals, objectives, and policies of the General Plan, the Zoning Ordinance, and the Development Code.
6. That the requested setback exceptions are acceptable because (1) the proposed front yard setbacks are consistent with the Rancho Rogelio Planned Development condition of approval that requires varying setbacks for three- and four-car garages; (2) the setback reductions are being requested for side-entry garages; (3) there are compensating (larger) side or rear yard areas on the lots which will offset the requested reductions; and (4) varying the setbacks will reduce an artificial "canyon" appearance and provide visual interest along the streetscape.
7. That the requested minimum lot dimension exception for Lot 19 is acceptable because (1) the lot meets the minimum 10,000 square foot minimum, and (2) the proposed street-side yard setback exceeds the required 15-foot setback from the side property line located adjacent to the street.
8. That the requested minimum lot dimension exception for Lot 6, the custom home lot, is acceptable because (1) the proposed lot dimensions are in substantial compliance with the approved Rancho Rogelio Tentative Map; (2) the lot meets the minimum one-acre requirement; (3) the lot is somewhat pie-shaped with the narrowest part of the lot facing the interior of the project, and the widest part abutting Browns Valley Road; and (4) the width of the lot far exceeds the 150-foot minimum.
9. The proposed house plans are consistent with the conditions of approval prescribed by the Planned Development for the Rancho Rogelio Project.

**NOW, BE IT RESOLVED**, that the Planning Commission does hereby reaffirm the Rancho Rogelio Mitigated Negative Declaration, approves the Modification to the Rancho Rogelio Planned Development, and approves The Reserve at Browns Valley House Plans

and Model Home Complex for a period of time that coincides with the valid Rancho Rogelio Tentative Map expiration date, June 27, 2016, subject to conditions of approval.

**I HEREBY CERTIFY** that the foregoing resolution was introduced and passed at a regular meeting of the Planning Commission of the City of Vacaville, held on the 19th day of November, 2013 by the following vote:

AYES:

NOES:

ABSENT:

ATTEST:

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MAUREEN T. CARSON, Community Development Director

## EXHIBIT A

### CONDITIONS OF APPROVAL

#### **Rancho Rogelio Planned Development Modification, and The Reserve at Browns Valley (AKA Rancho Rogelio) House Plans and Model Home Complex Approval**

7019 Browns Valley Road

File No. 12-042

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#### **I. Standard Conditions of Approval:**

The Applicant shall comply with all applicable Standard Conditions of Approval. In the event of a conflict between the Standard Conditions of Approval and these Conditions, these conditions shall prevail.

#### **II. Project-Specific Conditions:**

The applicant shall comply with the following Project-Specific Conditions:

#### **PLANNING**

1. This action approves a Modification to the Rancho Rogelio Planned Development, approved by the City Council on June 27, 2006 with the approval of Resolution No. 2006-70. The Rancho Rogelio project shall demonstrate substantial compliance with the aforementioned Planned Development conditions of approval, except as modified by this action. This project approval is tied to the expiration date of the valid Rancho Rogelio Tentative Map, which expires on June 27, 2016.
2. This action approves house plans and a model home complex for the Rancho Rogelio Subdivision, being marketed as "The Reserve and Browns Valley." House Plans submitted for building permits shall be in substantial compliance with the house plans prepared by William Hezmalhalch Architects, Inc. dated November 12, 2013. Plans submitted for the building permits for the model home complex and sales trailer shall be in substantial compliance with the Plans created by VanderToolen Associates, dated November 6, 2013. This project approval is tied to the expiration date of the valid Rancho Rogelio Tentative Map, which expires on June 27, 2016.
3. Section 14.09.072.150 (D) of the City of Vacaville Land Use and Development Code states: "A permit or entitlement may be revoked for reasons which include, but are not limited to, any of the following: (1) Failure to comply with the original approval or with one or more of the project conditions as originally approved; or the construction or development of the subject property is not in conformance with the project as approved; (2) Upon a determination that the permit or entitlement was obtained or extended upon fraud or misrepresentation; and (3) Upon a determination that the project violates a provision of the Municipal Code or is not operating in conformance with the performance standards".
4. The Applicant and development shall comply with these conditions of approval and all applicable provisions of the Vacaville Municipal Code (Zoning, Subdivision, Building Codes, etc.), the Vacaville General Plan and any applicable policy plan or specific plan, as such provisions may be amended from time to time including, but not limited to, Vacaville Municipal Code Section 14.09.072.190, which requires, except as otherwise provided by law (e.g. Government Code 664.74.9) that the Applicant shall defend, indemnify, and hold

harmless the City and its officials and employees in any action, claim or proceeding brought by any person or entity to overturn, set aside, or void any permit, entitlement, or approval issued or granted by the City. The City shall promptly notify the Applicant of any such action, claim or proceeding and the City shall cooperate with Applicant in the defense thereof without contributing to the cost of such defense.

5. The Applicant and development shall indemnify, defend and hold the City of Vacaville and its officers and employees harmless against all claims, suits or actions made against them arising out of or in connection with the ownership, occupancy, use or development of the project site, or any portion thereof, including the installation or construction of improvements thereon; however, this duty to indemnify and defend shall not extend to any claim, suit or action arising solely from the City or its officers or employees' negligence or misconduct. In addition, the Applicant shall comply with the requirements of Vacaville Municipal Code Section 14.09.072.190.
6. The Developer shall comply with the requirements of the Development Agreement between the City of Vacaville and Private Island Homes, Inc., regarding the development of real property commonly referred to as the "Rancho Rogelio." Said document is dated July 11, 2006, and was recorded February 8, 2007. In the event there is a conflict with these Conditions of Approval and the Development Agreement, the Development Agreement shall prevail. Per Section 12(d) of the Development Agreement, administrative amendments to the agreement may be authorized and approved by the Community Development Director. However, if the Community Development Director does not consider a proposed amendment to be administrative, a duly noticed hearing will be held before the Planning Commission and the City Council.
7. The Rancho Rogelio project shall demonstrate compliance with the Rancho Rogelio Mitigation Monitoring Plan approved by the City Council on June 27, 2006 with the approval of Resolution 2006-69.
8. The development plan and plot plans submitted for building permits shall be in substantial conformance with the development plan prepared by Carlson, Barbee & Gibson, Inc. dated October 22, 2013. The Director of Community Development and the Fire Chief may grant small deviations to the setbacks of lots 35, 36, 37, and 38 to ensure the project is consistent with the intent of the *Development Standards for New Construction Adjacent to Open Space Land Where Wildfire is a Threat* Fire Ordinance.
9. All homes within the RE-10 zoning district shall comply with the following setbacks, except those lots identified in Condition of Approval #10, which permits front yard setback reductions: :
  - Minimum Front Setback: 25-feet from the front property line (*20-feet from the front property line for unenclosed porches*)
  - Minimum Side Setback: 10-feet from the side property line (*15-feet from the property line located adjacent to the public right-of-way for corner lots.*)
  - Minimum Rear Setback; 20-feet from the rear property line.

In the event the *Development Standards for New Construction Adjacent to Open Space Lands Where Wildfire Is a Threat* Ordinance (Chapter 14.20.290 of the Land Use and Development Code) requires larger side and rear yard setbacks, the larger setbacks shall prevail.

10. The following lots have been granted front yard setback reductions to accommodate side-entry garages: . (\*Lot 39 is approved with a reduced front yard setback to accommodate the irregularly shaped flag lot.) :

- Lot 4 – 20 feet
- Lot 5 – 16 feet
- Lot 10 – 17 feet
- Lot 11 – 20 feet
- Lot 15 – 22 feet
- Lot 17 – 15 feet
- Lot 19 – 20 feet
- Lot 26 – 20 feet
- Lot 27 – 15 feet
- Lot 30 – 15 feet
- Lot 31 – 15 feet
- Lot 35 – 20 feet
- Lot 39\* – 15 feet

11. Lot 19 shall be at least 10,000 square feet in size, and shall measure a minimum of 85-foot wide and 100-foot deep. The future house plan shall be setback a minimum of 15-foot from the side property line located adjacent to the public right-of-way.

12. Lot 6, the one-acre, custom home lot located adjacent to Browns Valley Road, shall be at least one-acre in size, and shall measure a minimum of 162-foot deep and 330-foot wide as measured from the widest part of the lot. The minimum street frontage shall measure 60-foot wide.

13. This action approves five (5) house plans, each with four elevations. No single house plan, with the same floor plan/elevation combination, shall be used on more than four times within the residential project.

14. Maximum building height shall not exceed 30-feet on the RE-10 zoned lots, as measured by the mean height between the eaves and ridges of the gable or hip roof.

15. Maximum building height shall not exceed 40-feet on the RE-20 zoned lots, as measured by the mean height between the eaves and ridges of the gable or hip roof

16. Maximum lot coverage shall not exceed 35 percent in the RE-10 zoning district, and 40 percent in the RE-20 zoning district.

#### MODEL HOME COMPLEX

17. This action approves two phases of development for the model home complex. Phase 1 consists of the placement of three (3) model homes on Lots 3, 4, and 5, and the placement of a temporary sales trailer and parking lot on Lot 6, the custom home lot. Phase 2 consists of the placement of two (2) additional model homes on Lots 7 and 8. Phase 2 will be constructed if and when the market warrants its development.

18. Plans submitted for building permits shall be in substantial compliance with this action.

19. The development shall meet all applicable provisions of Title 24 and ADA (Americans with Disability Act). The applicant shall provide an accessible path from the public street to the temporary sales trailer.
20. Final landscape and irrigation plans for the model home complex shall be subject to the review and approval of the City Planner and City Landscape Inspector.
21. All retaining walls/fencing for the model homes and sales trailer complex shall comply with the improvement plans approved by the Development Engineering Division for the Rancho Rogelio subdivision. All retaining walls shall be decorative and are subject to the review and approval of the Community Development Director and City Engineer.

### SIGNAGE

22. All signs are subject to a separate sign permit. Please contact Permit Services Division for sign permits (707) 449-5152.
23. All subdivision signs and sign structures shall be removed within 10 days of the sale of the final residential lot within the subdivision.
24. No sign shall be located within 100 feet of an occupied residence or building.
25. The following items shall be removed prior to the building inspection for the last dwelling unit constructed in the subdivision:
  - Model I.D. sign
  - Sales information signage and all flags and banners.
26. Residential Subdivision Signs. Each residential subdivision shall be allowed real estate signs subject to the following standards. Signs permitted under this section shall not be installed until and unless a final map has been recorded for the subdivision. Subdivision signage shall comply with the following:

#### Off-site Subdivision Signs.

- a. A maximum of two off-site directional signs shall be allowed.
- b. The signs shall indicate only travel directions, the name and address of the subdivision, the developer and the typical price range of housing units.
- c. The area of each sign shall not exceed thirty-two square feet.
- d. Each sign shall not exceed ten feet in height and 10 feet in horizontal length.
- e. No additions, tag signs, streamers or appurtenances shall be added to such signs.

#### On-Site Subdivision Signs

- a. Two on-site identification signs not exceeding thirty-two square feet in total area for each sign nor more than six feet in height nor ten feet in horizontal length shall be allowed.

- b. One identification sign per model home not exceeding eight square feet in area or three and one-half feet in height shall be allowed. In addition to the above, one flag or banner will be permitted per model home to identify the model home area and the sales complex area.

#### DEVELOPMENT ENGINEERING

- 27. Provide detailed lot grading on the plot plans submitted for building permits.
- 28. Provide accurate contours at the proposed driveways on the plot plans.