

MINUTES OF THE SOLANO COUNTY PLANNING COMMISSION

Meeting of February 20, 2020

The regular meeting of the Solano County Planning Commission was held in the Solano County Administration Center, Board of Supervisors' Chambers (1st floor), 675 Texas Street, Fairfield, California.

PRESENT: Commissioners Rhoads-Poston, Cayler, Hollingsworth, Bauer and Chairman Walker

EXCUSED:

STAFF PRESENT: Bill Emlen, Director of Resource Management
Jim Laughlin, Deputy County Counsel
Nedzlene Ferrario, Senior Planner
Matt Tuggle, Public Works
Jamielynn Harrison, Planning Commission Clerk
Teresa Schow, Office Assistant II

Chairman Walker called the meeting to order at 7:00 p.m. with a salute to the flag. Roll call was taken and a quorum was present.

Approval of the Agenda

The Agenda was approved with no additions or deletions.

Approval of the Minutes

The minutes of the regular meeting of January 16, 2020 were unanimously approved as prepared. Chairman Walker abstained from the vote to approve due to absence on January 16, 2020.

Items from the Public

There was no one from the public wishing to speak.

Regular Calendar

Item No. 1:

Public hearing to consider and make a recommendation to the Board of Supervisors on the following three applications of Bill Morgan: 1) to amend the General Plan land use designations on a portion of the subject property from Specific Project Area to Agriculture and Rural Residential; 2) to rezone portions of the subject property from Exclusive Agricultural 20-acre minimum (A-20) to Rural Residential 2.5-acre minimum (RR-2.5), Rural Residential 5-acre minimum (RR-5), and Rural Residential 10-acre minimum (RR-10); and 3) to subdivide the subject property into 19 lots. The project is known as Lands of Morgan and development is proposed in three (3) phases. The 310.5-acre property is located at the southwest corner of Cantelow and Gibson Canyon Road, within the unincorporated portion of Vacaville.

Senior Planner Nedzlene Ferrario provided a brief presentation of the three applications with modified conditions of approval provided in a memorandum. The subject property is known as Pippo Ranch. English Creek is on the westside of the property along with several intermittent streams which run on the property as well. Two stock ponds, a PG&E overhead transmission line and a rural North Vacaville water tank is on the property. There are three residences and most notably, this property has rolling hills and steep hillsides, with more than half of the slopes at a 25% grade or more. This is part of the English Hills Ridgeline. [Memo](#)

The applicant is proposing the general plan land use designations and rezone portions of the property consistent with the agricultural and rural residential one-unit for one-to-ten land use designation. Eleven out the 19 lots are proposed to be zoned A-20 equaling 243 acres. The remaining property is proposed to be zoned rural residential. Four lots from the RR-10 Zone within 42.9 acres and three lots within the RR-5 Zone at 21.2 acres. There is one lot zoned rural residential at 2.9 acres.

The first modification pertains to No. 9. Originally, the access rights on Cantelow Road and Gibson Canyon Road were to be granted to the county except for driveways and private roads. The applicant has asked for an exception for Lot 1 and 2. Public Works has recommended the modifications.

The second item is the proposed water line for Lot 10 within the private road easement through Lot 9. The Rural North Vacaville District had preferred water lines to be extended from Cantelow Road to Lot 10. But due to the steep slopes on Cantelow Road, the water line for Lot 10 may be placed with the access easement. Staff is proposing to strike out the last sentence in Condition No. 23d.

The third item indicates that prior to the issuance of the residential building permits for the project, the Subdivider shall have completed all of the required improvements and road construction.

The applicant requested to defer mitigation to the Second Phase in order to obtain enough cash flow to purchase mitigation credits. The request was approved.

Chairman Walker opened the public hearing.

The applicant, Bill Morgan, spoke. He indicated that it has taken more than two years to bring this matter before the commission. They have tried to address all the issues. Mr. Morgan was available to answer any questions.

Chairman Walker ask if there were any questions for the applicant. Since there were none, the next speaker was called.

Maryann Moran spoke as a neutral party. She resides at 4257 Independence Lane in Vacaville. They have a private road off of Gibson Canyon Road. Mrs. Moran requested prior to approval of the project that the following be considered:

1. The installation of a traffic mitigation measure to safely slow traffic in the form of additional stop signs on both or either Cantelow and Gibson Canyon;

2. Allow a lot size of 2.9 acres referring to Lot 19, suggesting consideration as an A-20 and revert the lot back to an agricultural lot.
3. That the approval of the project be contingent on the following:
 - a. Prior to issuance of the building permit, to consider an executed agreement for the provision of water solely from Rural North Vacaville Water District or another provider be included and designed specifically to state “no form of an individual property owner well be installed due to the scarcity of the water;” and
 - b. No planting within the powerline easements. The proposal is specific to above-ground power lines and it presents a future fire hazard.

Eileen Uthe-Smith spoke. She resides at 4108 Pippo Lane in Vacaville. She is in opposition to the project due to the noise and construction. She also mentioned that the neighboring lights are “ruining” the night sky. She asked that someone take into consideration the lighting and development of the project. Also, the abundance of propane tanks in a 2.5-acre space are potentially a fire hazard.

Chairman Walker closed the public hearing.

Chairman Walker stated that it is not often that the commission addresses land use designation project areas. Referring to the General Plan and the Instrumentation Strategy LUI-6, this project was contemplated when the General Plan was updated into the current configurations as part of that process. The project was held in a special category with the contemplation of that it would become a subdivision. If the options are due to expire in August 2020, in the conditions of approval, Item No. 5, it cannot go forward.

The Planner indicated that the developer would have to purchase all the water rights before it expires per phase. In Phase I, there are four lots and the developer owns three. He will need to purchase the remaining one. In Phase II, he would then need to purchase those water rights which are not secured. If there are no water rights, the lots do not get recorded and they cannot be sold.

Chairman Walker asked about the easement and water traversing into another parcel. As indicated in Condition No. 24, there are water lines on the property that were installed by the original owner. The issue is to locate those lines and record the lines as easements which is a requirement of the water district. Those easements will run with the land, requiring that stipulation in the first Phase recordation. It has to be done upfront.

Commissioner Bauer asked if traffic mitigation measures had been considered in this project?

Matt Tuggle, Engineering Manager of Public Works, indicted that there are several layers in traffic to consider, including the underlying zoning and the current condition of the roads. A Transportation Impact Fee is collected with each residential development paid by the developers

and used to improve the road throughout English Hills. This was planned 20 years ago, in anticipation of the traffic. Growth is the next level regarding traffic issues and we anticipate and plan for a certain amount of improvement. He described the various traffic improvements.

Commissioner Bauer asked for clarification whether there is a preclusion for a well or if all water must come from Vacaville Water District.

The Planner indicated that there is a requirement for domestic water supply be from the Rural Northern Vacaville Water District. If they wanted to drop an agricultural well, it would be permitted with the stipulation that they could pass pump test for water. All the residences on the property will be connected to public water.

Commissioner Bauer asked if there were restrictions on construction times. The planner added a mitigation measure in the final document that construction shall occur Monday thru Saturday 8:00 a.m. thru 5:00 p.m. Monday thru Friday, and 9:00 a.m. to 4:00 p.m. on Saturdays; and no work should occur on Sundays and federal holidays. The public can call Resource Management Code Enforcement Division to enforce this measure.

Commissioner Cayler stated that citizens in her city lobbied for a stop sign and after a long while, the request was granted. "Squeaky wheel gets the oil." If lobbied for often enough and long enough, it will happen.

Commissioner Rhoads-Poston inquired as to whether there were any biplanes to be added in the traffic study.

Mr. Tuggle indicated that the developer is required to widen the shoulder of Gibson Canyon Road to a graded shoulder standard. Generally, on the basis of biplanes, we do not typically require a developer to put in a bike lane as we do to make sure shoulders are safe for traffic use. A bike lane will be implemented on Timm Road.

Commissioner Rhoads-Poston moved to forward recommendation of approval to the Board of Supervisors of the General Plan GP 1801 and rezone Z1801 subject to the draft resolution; forward recommendation of approval to the Board of Supervisors of the tentative Subdivision Map S1802 subject to the findings and conditions of contained in this report along with the amendments and as modified. It was seconded by Commissioner Cayler.

Item No. 2:

NOMINATION and ELECTION of Chairperson and Vice Chairperson for the ensuing year.

It was motioned and seconded to nominate Commissioner Bauer and Commissioner Hollingsworth as Chairperson and Vice-Chairperson, respectively. The motion passed unanimously.

ANNOUNCEMENTS and REPORTS

Chairman Walker confirmed with Director Emlen the date of the next regular Planning

Commission Meeting.

Director Emlen indicated that tentatively a meeting has not been scheduled for March 5, 2020. He also mentioned the referral of a case from the Zoning Administrator's Meeting of February 20th regarding a short-term vacation rental proposal for a future meeting.

Commissioner Rhoads-Poston indicated that she will be out the first meeting in June.

Since there was no further business, the meeting was **adjourned**.