

# ***MINUTES OF THE SOLANO COUNTY PLANNING COMMISSION***

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## **Meeting of May 18, 2017**

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

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

EXCUSED: None

STAFF PRESENT: Mike Yankovich, Planning Program Manager; Jim Laughlin, Deputy County Counsel; Eric Wilberg, Planner Associate; and Kristine Sowards, Planning Commission Clerk

Chairperson Cayler 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 April 6, 2017 were approved as prepared.

### Items from the Public

There was no one from the public wishing to speak.

### Regular Calendar

#### Item No. 1-

Public hearing to consider an Amendment to Use Permit No. U-82-52 (**Skaggs Trucking**) to a previously approved use permit for an Agricultural Trucking Repair Shop which would permit the addition of a Farm and Ranch Supply Store and an Agricultural Trucking business. The project is located on 8.18 acres located at 5164 Fry Road, Vacaville, in an "A-40" Exclusive Agricultural District. APN-0137-020-130. (Project Planner: Jim Leland)

Mike Yankovich said staff is requesting a continuance of this item to the commission's June 1<sup>st</sup> meeting in order to work with the City of Vacaville and the applicants to resolve questions pertaining to the proposed development.

A motion was made by Commissioner Hollingsworth and seconded by Commissioner Rhoads-Poston to continue this matter to the regular meeting of June 1, 2017. The motion passed unanimously.

#### Item No. 2-

Public hearing to consider an ordinance amending Chapter 28 of the Solano County Code to define the short-term rental of a dwelling as a "tourist house" and to authorize such land use, subject to a minor use permit, within the exclusive agricultural and Suisun Valley agricultural zoning districts. (Project Planner: Michael Yankovich)

Mike Yankovich stated that since this item was continued at the planning commission's April 6, 2017 meeting, staff has met with landowners from different areas of the county regarding the Draft Tourist House ordinance. Based on the comments received, staff believes the best approach at this time is to withdraw the ordinance from further consideration. This will allow staff time to conduct further public outreach.

Kevin Browning, Clayton Road, Suisun Valley submitted a letter to the commission in opposition to the proposed tourist house ordinance. He stated that there is illegal and unregulated land use occurring on Clayton Road, in unincorporated Suisun Valley. Mr. Browning wanted to know if the current uses that are in violation will be addressed.

Mr. Yankovich stated that the county will deal with current compliance issues however the rules regarding short term rentals will be in abeyance until the county produces another version of the ordinance.

Chairperson Cayler noted that if there is something going on that is non-compliant, law enforcement would be the people in which to contact.

Commissioner Walker commented that this subject has become a statewide concern. He said he has come to learn about the matter due to his involvement as a member of the Board of Directors for the California Association of Realtors. Mr. Walker said that given there are various lawsuits relating to individuals trying to enforce lease language that is not present with regard to tenants illegally renting out these properties, as well as jurisdictions that do not have something codified in their ordinances and zoning tables, and that sometimes permissive zoning is not interpreted by the judiciary the way one might think, not having something in plain writing can be dubious the longer we go without it. Mr. Walker noted that his association is modifying their lease language that will expressly prohibit those uses unless the property owner opts in. He believed other associations are doing the same as well.

Mr. Yankovich said there have been a lot of good points brought up with regard to the comments staff has received and he believed some of those ideas will be incorporated into the new draft. He commented that this is an emerging issue and has caught many cities and jurisdictions somewhat off-guard.

The commission voted unanimously to withdraw this item until further notice.

Item No. 3-

**PUBLIC HEARING** to consider public hearing to consider Variance Application No. V-17-02 of **Daniel and Lesley Munson** for a variance of the front yard setback requirement of 60' to allow for the construction of an enclosed two car enclosed garage. The property is located at 4525 Green Valley Road, 2.5 miles north of the City of Fairfield within the "RR-2.5" Rural Residential Zoning District, APN: 0147-080-010. This project qualifies for an Exemption from the California Environmental Quality Act pursuant to the CEQA Guidelines. (Project Planner: Eric Wilberg)

Eric Wilberg provided a brief presentation of the written staff report. A variance allows the commission to consider the special circumstances applicable to a subject property, including size, shape, topography, location or surroundings when applying the strict application of development standards in the zoning ordinance. The applicant is requesting a variance of the 60 foot front yard setback requirement to allow the construction of a residential accessory structure within the front setback. The developable area of the subject site is constrained by parcel size, lot configuration, and creek running through the lot. Based on these

circumstances staff is recommending that the planning commission make the findings necessary to approve this variance application.

Chairperson Cayler opened the public hearing. Since there was no one from the public wishing to speak, the public hearing was closed.

A motion was made by Commissioner Rhoads-Poston and seconded by Commissioner Bauer to approve Variance Application No. V-17-02 subject to the recommended conditions of approval. The motion passed unanimously. (Resolution No. 4644)

#### **ANNOUNCEMENTS and REPORTS**

There were no announcements or reports.

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

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