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June 12, 2020

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Solano County Board of Supervisors
675 Texas Street
Fairfield, CA 94533

RE: Appeal of the Resolution adopted at the regular meeting of the Solano County Planning Commission of June 4, 2020, approving Use Permit Application U-19-03. Location of property 2525 thru 2529 Mankas Corner Rd., unincorporated Solano County.

Use Permit U-19-03 began as a renewal for one business; Suisun Valley Antiques/John's Hauling. Misrepresentation and false statements as to the material facts on which the use permit and approval are based, resulted in the permit being used for two additional establishments for which the use permit was originally not issued. The permit is approved for a condition or activity that creates conflicts with general laws, including but not limited to an apparent violation of the Ralph M. Brown Act, and public notice laws.

Repeated requests for consideration of the existence of a public nuisance on the property have been routinely ignored, in violation of Solano County Public Health and Safety Chapter of the 2008 General Plan, resulting in unsafe traffic conditions potentially detrimental to public safety.

In violation of Chapter 28 Zoning Regulations, Agritourism does not include commercial amusement and entertainment uses, such as musical entertainment, amphitheater or theater entertainment facilities for the performance of concerts or other entertainment events.

Musical entertainment has become a feature of all Marketing Events. Musical entertainment is inconsistent with Solano County's definition of Agricultural Tourism allowed uses, and is specified as a disallowed use. Public events in A-T-C districts shall not utilize electric sound amplification systems; yet this occurs frequently. Public events and marketing events have no regulation for noise or human capacity in any given area. Marketing Events result in traffic congestion and hazards for the public and residents of the area. When there is a conflict between a general requirement and a specific requirement, the specific requirement shall be applicable. Unregulated human capacity results in parking of vehicles exceeding the on-site parking accommodations, thus results in illegal parking off-site on bike lanes, road shoulders, and areas posted as No-Parking zones in the Mankas Corner A-T-C.

Use Permit U-19-03 fails to consider processes for design, operation or use of premises (under land use planning) subject to Fire Hazard Planning goals, thus federal and state requirements that directly address fire hazard planning and mitigation are ignored.

Requirements that are essential for the public safety of a proposed activity shall be determined by the applicable fire district official. Solano County failed to submit plans to CAL FIRE for approval, prior to approval of the Mankas Corner Road Improvement Project.

In order for Solano County to be eligible for FEMA funding, the County had to adopt a hazard mitigation plan. The 2012 Multi-Hazard Mitigation Plan (MHMP) identified the natural hazards that affect the County, their impacts, and desired mitigation actions to address and minimize those impacts. Strategic points of intervention where better planning can help reduce the vulnerability of development were addressed. Solano County has failed to implement simple strategies, due to a number of local barriers. These include disconnect of administrative responsibility, lack of hazard mitigation training, plan maintenance and updating process, and Solano County government staff turnover. Mankas Corner is located in an area identified as a High Risk area for wildfire, flooding, and severe storms. The unincorporated Suisun Valley falls into the definition of the wildland/urban interface. Local comprehensive plans must review new information as it becomes available. Solano County has experienced consecutive years of drought and devastating regional wildfires since adoption of the 2012 MHMP. Yet our local ordinances have not improved.

Standards for project review are often obscured by planning staff. They provide limited knowledge to the planning commissioners in the form of Staff Reports. Lack of specific knowledge of an area increases the potential for loss of life and property from wildfires through uninformed development regulations, standards for proposal review, and lack of comprehensive planning and best practices in at-risk areas. Unimpeded emergency response times to local and regional disasters require regulation and limitations of tourist-serving activities in Suisun Valley. This fact is ignored in the name of economic interests. Those economic interests cross line when it considers conflicts-of-interest laws.

Chapter 28 (28.23.12) – Purposes of Agricultural Tourist Center Districts states: “Development of agricultural tourism is critical to the future viability of agriculture in Solano County”. That statement was absolutely not true then, and certainly is not true today. Agricultural tourism was soon replaced with wine tourism for the sole purpose of increasing generation of tax revenue for the County. The Mankas Corner A-T-C project was designed as part of a plan to increase agriculture tourism in the area – and primarily to the wine attractions of Suisun Valley. Obtaining bike/pedestrian improvement funds allowed widening of road shoulders, striped parking, added a historic marker, benches, traffic striping and gateway signs. These can all be considered advancements to private project A-T-C development. Shoulder widening allowed Right-Of-Way upgrades which added parking spaces to benefit existing businesses, where a shortage of parking had not been resolved through traditionally planning mythology. It also required merging of traffic lanes and interruption of bike lane, thus reduced public safety.

The California Constitution authorizes a county to make and enforce local ordinances that do not conflict with general laws. The Suisun Valley Strategic Plan had no legitimate

source of infrastructure improvements funding. Therefore, its designation as a Priority Conservation Area (PCA) made it possible to obtain transportation funding grants. Through its police powers, the Board of Supervisors used its authority to procure public transportation funds through the Solano Transportation Authority for the Mankas Corner Road Improvement Project. However, those grant funds had prescribed methods for project suitability. The Board must follow the procedural requirements in state and federal statutes.

Since Use Permit U-19-03 pertains to project ingress and egress from a public roadway (Mankas Corner Rd.) and that roadway and location is the site of an ongoing road improvement project, significant factors cannot be dismissed. Mankas Corner Rd. is a FIRE APPARATUS ACCESS ROAD, which has been impeded by obstacles as a result of poor planning and approvals. It shall be maintained in accordance with California Fire Code Sections 503.1.1 – 503.1.3.

The state's 2018 Strategic Fire Plan sets goals for local planning that include analyzing the fire risk, supporting land use planning, community preparedness planning, and increasing fire prevention efforts.

The Mankas Corner Road Project was not submitted to CAL FIRE for approval, in violation of IFC Section 503.4.1. This was an intentional oversight, because fire departments have traditionally been the most vocal about traffic calming. Roadway obstructions are obstacles to efficient emergency response times. In 2012, the International Fire Code (IFC) was updated to specifically address traffic calming and to better ensure coordination with the fire department during traffic calming implementation. IFC Section 503.4.1 states that traffic calming measures places on fire apparatus access roads "shall be prohibited unless approved by the fire code official". In this case, CAL FIRE is the fire code official.

Additionally, median islands for gateway and other types of signage and traffic calming reasons are not allowed under the terms of federal transportation grants.

Yet, the road project incorporated traffic calming design elements such as colored crosswalks, bike stencils, and medians to moderate speed and enhance safety through the corridor. The medians should have never been placed in the roadway, and required reductions in size and alterations for lane width. Those medians are not lighted and still have orange road cones arranged to make them more visible to motorists.

The project was part of a plan to increase tourism, primarily to wine attractions of Suisun Valley. The Mankas Corner area is part of an A-T-C specifically identified in the county's voter-approved General Plan. And it was specifically targeted for that kind of economic attraction. Negative impacts have always been ignored for the sake of tourism.

Therefore, I will continue to take a stand in the name of the public good and voice these concerns. Solano County has a less stringent view of generally accepted state and federal law statutes. The limited subject matter jurisdiction of the planning commission severely

limits the function of fair and open government. Our local government officials act with impunity, without thought of negative consequences.

Needless to say, wildfire response delays of only a few seconds can mean the difference of life and death, control or non-control, structures lost and lives changed. The Sonoma-Lake-Napa CAL FIRE unit must use the Mankas Road intersection of Clayton Rd. They used it several times in just the last week when responding to a number of fires in our region. Fortunately, the businesses at that location were closed and the fire access roadway had free passage. That won't always be the case. Priorities have to put people ahead of profit.

Respectfully,

Mary Browning,

Suisun Valley