

Solano County

*675 Texas Street
Fairfield, California 94533
www.solanocounty.com*



Agenda - Final

Thursday, February 21, 2019

7:00 PM

Board of Supervisors Chambers

Planning Commission

Any person wishing to address any item listed on the Agenda may do so by submitting a Speaker Card to the Clerk before the Commission considers the specific item. Cards are available at the entrance to the meeting chambers. Please limit your comments to five (5) minutes. For items not listed on the Agenda, please see "Items From the Public".

All actions of the Solano County Planning Commission can be appealed to the Board of Supervisors in writing within 10 days of the decision to be appealed. The fee for appeal is \$150.

Any person wishing to review the application(s) and accompanying information may do so at the Solano County Department of Resource Management, Planning Division, 675 Texas Street, Suite 5500, Fairfield, CA. Non-confidential materials related to an item on this Agenda submitted to the Commission after distribution of the agenda packet are available for public inspection during normal business hours and on our website at www.solanocounty.com under Departments, Resource Management, Boards and Commissions.

The County of Solano does not discriminate against persons with disabilities and is an accessible facility. If you wish to attend this meeting and you will require assistance in order to participate, please contact Kristine Sowards, Department of Resource Management at (707) 784-6765 at least 24 hours in advance of the event to make reasonable arrangements to ensure accessibility to this meeting.

AGENDA

CALL TO ORDER

SALUTE TO THE FLAG

ROLL CALL

APPROVAL OF AGENDA

APPROVAL OF THE MINUTES

[PC 19-009](#) January 17, 2019 PC Minutes

Attachments: [draft minutes](#)

ITEMS FROM THE PUBLIC:

This is your opportunity to address the Commission on a matter not heard on the Agenda, but it must be within the subject matter jurisdiction of the Commission. Please submit a Speaker Card before the first speaker is called and limit your comments to five minutes. Items from the public will be taken under consideration without discussion by

the Commission and may be referred to staff.

REGULAR CALENDAR

- 1 [PC 19-013](#) Public Hearing to consider Use Permit Application No. U-18-04 of The Timbers-Silveyville Christmas Tree and Pumpkin Farm (c/o Ted and Jeri Seifert) for an existing Christmas tree and pumpkin farm with concessions, gift shop and amusement activities, and proposed event venue with a 3,000 square foot building and adjacent park. The property is located at 6224 Silveyville Road, northwest of the City of Dixon in the Exclusive Agricultural "A-40" Zoning District, APN's: 0108-090-130 and 140. This project qualifies for an Exemption from the California Environmental Quality Act pursuant to the CEQA Guidelines. (Project Planner: Jim Leland) Staff Recommendation: defer this matter to a future Planning Commission meeting date
- 2 [PC 19-012](#) Public Hearing to consider and make a recommendation to the Board of Supervisors on Rezoning Petition No. Z-17-04 of Hubert & Aurelia Goudie and William & Sylvia Marshalonis to rezone 15.69 acres from Rural Residential "RR-2.5" and Exclusive Agriculture "A-20" to Rural Residential "RR-5". The property is located at 4420 Peaceful Glen Road, 2.5 miles north of the City of Vacaville, APN's: 0105-060-390 and 40. (Project Planner: Eric Wilberg) Staff Recommendation: Recommend that the Board of Supervisors approve the Rezoning Petition

Attachments: [A - PC Resolution Z-17-04](#)
 [B - Assessors Parcel Map](#)
 [C - Vicinity Map](#)
 [D - Rezoning Exhibit](#)
- 3 [PC 19-014](#) Public Hearing to consider and make a recommendation to the Board of Supervisors on a proposed Ordinance, Zone Text Amendment No. ZT 17-03, to amend Chapter 28 of the Solano County Code relating to legal, nonconforming churches within the Suisun Valley Agriculture "A-SV-20" and Agricultural Tourist Center "ATC" zoning districts to allow for the expansion of such uses subject to discretionary approval via the use permit amendment process. (Project Planner: Eric Wilberg) Staff Recommendation: recommend the Board of Supervisors approve the zone text amendment

Attachments: [A - Draft Ordinance Nonconforming Churches](#)
 [B - Location Map](#)
- 4 [PC 19-010](#) NOMINATION and ELECTION of Chairperson and Vice Chairperson for the ensuing year

Attachments: [Planning Commission appointment & attendance report \(2018\)](#)

ANNOUNCEMENTS AND REPORTS

ADJOURN

*To the Planning Commission meeting of March 7, 2019 at 7:00 P.M., Board Chambers,
675 Texas Street, Fairfield, CA*



Solano County

675 Texas Street
Fairfield, California 94533
www.solanocounty.com

Agenda Submittal

Agenda #: **Status:** PC Minutes
Type: PC-Document **Department:** Planning Commission
File #: PC 19-009 **Contact:** Kristine Sowards, 784.6765
Agenda date: 2/21/2019 **Final action:**
Title: January 17, 2019 PC Minutes

Governing body: Planning Commission

District:

Attachments: [draft minutes](#)

| Date | Ver. | Action By | Action | Result |
|------|------|-----------|--------|--------|
|------|------|-----------|--------|--------|

MINUTES OF THE SOLANO COUNTY PLANNING COMMISSION

Meeting of January 17, 2019

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, Walker, Hollingsworth, Bauer, and Chairperson Cayler

EXCUSED: None

STAFF PRESENT: Mike Yankovich, Planning Program Manager; 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 December 20, 2018 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 Use Permit Application No. U-18-04 of The Timbers-Silveyville Christmas Tree and Pumpkin Farm (c/o Ted and Jeri Seifert) for an existing Christmas tree and pumpkin farm with concessions, gift shop and amusement activities, and proposed event venue with a 3,000 square foot building and adjacent park. The property is located at 6224 Silveyville Road, northwest of the City of Dixon in the Exclusive Agricultural "A-40" Zoning District, APN's: 0108-090-130 and 140. The project qualifies for an Exemption from the California Environmental Quality Act pursuant to CEQA Guidelines. (Project Planner: Jim Leland)

Mr. Yankovich stated that staff is requesting this item be deferred to allow additional time to permit the applicant to meet with various County agencies to finalize the conditions of approval for the project. He explained that there are several permits that are required, and the applicant is busy trying to work on whether they can incorporate those into the existing

development. The applicant has requested that this matter be continued to the regular meeting of February 21st.

Chairperson Cayler opened the floor for public comment. 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 Walker to continue this matter to the regular meeting of February 21, 2019. The motion passed unanimously.

Item No. 2

PUBLIC HEARING to consider Rezoning Petition No. Z-17-04 and Minor Subdivision Application No. MS-17-06 of Hubert and Aurelia Goudie et.al to rezone 15.69 acres from Rural Residential "RR-2.5" and Exclusive Agriculture "A-20" to Rural Residential "RR-5"; and subdivide three existing parcels into four lots. The property is located at 4420 Peaceful Glen Road, 2.5 miles north of the City of Vacaville, within the Exclusive Agriculture "A-20" and the Rural Residential "RR-2.5" Zoning Districts, APN's: 0105-060-240, 39, and 40. The project qualifies for an Exemption from the California Environmental Quality Act pursuant to the CEQA Guidelines. (Project Planner: Eric Wilberg)

Mr. Yankovich said staff is requesting this item be deferred to allow additional time to coordinate the review of the easement and deed information provided by the applicant at the November 1, 2018 Planning Commission meeting with the acting County Surveyor. The outcome of that review will likely dictate final conditions of approval for the project, therefore a resolution recommending action by the Planning Commission is not finalized at this time.

Mr. Yankovich asked the commission to defer this matter to a date uncertain at which time it would be re-noticed for public hearing.

Since the applicant was present in the audience, Commissioner Walker asked him if he agreed with the recommendation made by staff, and if he feels that his needs are being met through this process.

Brian Goudie appeared before the commission. He stated that they believe they have provided all the necessary information to county staff. He said that he understands the review process takes time, but they feel that the process has been a very slow one. He noted that they originally submitted their application in November of 2017.

Mr. Yankovich explained that the county does not currently have its own inhouse surveyor which has added to the additional review time. He noted that there is also a difference of opinion between the property owner and staff regarding the conditions, which has also been a contributing factor.

Commissioner Bauer wanted to know if Mr. Goudie agreed with the recommendation of a date uncertain. Mr. Goudie stated that he did not particularly like the idea and would rather have a timeline.

Commissioner Bauer suggested deferring this for three months with the ability for staff to bring it back sooner if it were ready. She said this will ensure that the project does not fall through the cracks.

Mr. Yankovich stated that staff are hoping to have this ready for hearing within 30 days but agreed with the three-month timeframe.

Commissioner Bauer asked Mr. Goudie if he also agreed with the timeframe. Mr. Goudie stated that he was okay with the recommended deferral for three months.

Since there was no one else in the audience wishing to speak, a motion was made by Commissioner Bauer and seconded by Commissioner Rhoads-Poston to continue this matter to the regular meeting of March 21, 2019, with the condition that if it is ready sooner it can be brought back before the commission at that time. The motion passed unanimously.

Item No. 3

PUBLIC HEARING to consider Amendment No. 1 to Use Permit U-10-11 of Green River Brewing and Taproom to permit the current use of the existing bar and restaurant facility and additional use of the outdoor area of the property for outdoor events. The property is located at 4513 Putah Creek Road, south of the City of Winters in the Commercial "CS" Zoning District, APN: 0103-160-010. The project qualifies for an Exemption from the California Environmental Quality Act pursuant to the CEQA Guidelines. (Project Planner: Jim Leland)

Mr. Yankovich stated that the applicant has requested this item be deferred to a date uncertain to allow them to address several conditions affecting the project. The applicant needs time to decide if incorporating these conditions are going to be feasible.

Chairperson Cayler opened the floor for public comment. 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 continue this matter to a date uncertain at which time it will be re-noticed for public hearing. The motion passed unanimously.

ANNOUNCEMENTS and REPORTS

There were no announcements or reports.

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



Solano County

675 Texas Street
Fairfield, California 94533
www.solanocounty.com

Agenda Submittal

| | | | |
|------------------------|---|----------------------|------------------------|
| Agenda #: | 2 | Status: | PC-Regular |
| Type: | PC-Document | Department: | Planning Commission |
| File #: | PC 19-012 | Contact: | Eric Wilberg, 784.6765 |
| Agenda date: | 2/21/2019 | Final action: | |
| Title: | Public Hearing to consider and make a recommendation to the Board of Supervisors on Rezoning Petition No. Z-17-04 of Hubert & Aurelia Goudie and William & Sylvia Marshalonis to rezone 15.69 acres from Rural Residential "RR-2.5" and Exclusive Agriculture "A-20" to Rural Residential "RR-5". The property is located at 4420 Peaceful Glen Road, 2.5 miles north of the City of Vacaville, APN's: 0105-060-390 and 40. (Project Planner: Eric Wilberg) Staff Recommendation: Recommend that the Board of Supervisors approve the Rezoning Petition | | |
| Governing body: | Planning Commission | | |
| District: | | | |
| Attachments: | A - PC Resolution Z-17-04 B - Assessors Parcel Map C - Vicinity Map D - Rezoning Exhibit | | |

| Date | Ver. | Action By | Action | Result |
|------|------|-----------|--------|--------|
|------|------|-----------|--------|--------|

RECOMMENDATION:

The Department of Resource Management recommends that the Planning Commission:

1. Conduct a public hearing to consider Rezoning Petition No. Z-17-04 to rezone 15.69 acres from Rural Residential "RR-2.5" and Exclusive Agriculture "A-20" to Rural Residential "RR-5"; and
2. Recommend that the Board of Supervisors approve Rezoning Petition Z-17-04; and
3. Make the finding that the project qualifies for a categorical exemption pursuant to CEQA Guidelines Section 15061(b)(3).

EXECUTIVE SUMMARY:

The applicant is requesting a rezoning petition to convert 15.69 acres of land currently split zoned Rural Residential "RR-2.5" and Exclusive Agriculture "A-20" to Rural Residential "RR-5". The extent of the proposed Rural Residential zoning would align with existing residential development on-site as well as Sweeny Creek which meanders through the property.

The applicant is also pursuing a minor subdivision application which would create one additional parcel within the area to be rezoned RR-5. Final design of the tentative parcel map for that application, MS-17-06, is still being considered by the applicant and will be heard by the Planning Commission at a later hearing date.

PROPERTY INFORMATION:

A. Applicant and Owners:

Hubert & Aurelia Goudie and William & Sylvia Marshalonis
4428 Peaceful Glen Road
Vacaville, CA 95688

Reference Attachment B, Assessor's Parcel Map

B. Surrounding General Plan, Zoning and Land Uses:

| | General Plan | Zoning | Land Use |
|--------------|---------------------|-------------------------------------|-------------------|
| North | Rural Residential | Rural Residential "RR-5" | Residential |
| South | Rural Residential | Exclusive Agriculture "A-20" | Seasonal dry crop |
| East | Rural Residential | Exclusive Agriculture "A-20" | Seasonal dry crop |
| West | Rural Residential | Rural Residential "RR-5" & "RR-2.5" | Residential |

ANALYSIS:

A. Environmental Setting

The subject site is located along Peaceful Glen Road, 2.5 miles north of the City of Vacaville. The site is bound to the north by Peaceful Glen Road; to the east by a parcel in agricultural production (seasonal dry crop); to the south by a parcel in agricultural production (seasonal dry crop); and to the west by residential home sites. The site is situated predominantly within a swath of agricultural land southeast of Sweeny Creek, utilized for seasonal dry crop production. Rural residential home-sites on parcels ranging in size between 2.5 - 5 acres surround the agricultural area. Generally, the area identified as English Hills is located north and west of the subject site and the Allendale area is located to the east and south.

A majority of the 61.86 acre site is relatively flat exhibiting slopes of less than six percent. Sweeny creek meanders through the property, generally in a north-south direction. All development on-site is located northwest of the creek and consists of two residences and two residential accessory structures (carport and pole barn). Utilities including domestic water wells and private septic systems support the residential development on-site. Access to the property is provided via private driveway encroachment off Peaceful Glen Road (County Road No. 457).

Reference Attachment C, Vicinity Map

B. Project Description

The intent of the rezoning petition is to isolate residential development on the northwest side of Sweeny Creek, generally the dividing line between the Rural Residential and the Agricultural zoned areas of the property. The property currently functions with two single family dwellings and associated residential accessory structures on the northwest side of Sweeny Creek and agricultural production taking place on the southeast side of the creek. The proposal will rezone 15.69 acres on the northwest side of Sweeny Creek from Rural Residential RR-2.5 and Exclusive Agriculture A-20 to Rural Residential RR-5. The remaining 46.17 acres of the subject site will remain A-20.

Reference Attachment D, Rezoning Exhibit

LAND USE CONSISTENCY

General Plan & Zoning

The General Plan Land Use Diagram designates the subject site Rural Residential. The site is currently split zoned Rural Residential "RR-2.5" and Exclusive Agriculture "A-20". As seen on the General Plan/Zoning Consistency Table (Table LU-7 General Plan), the two existing zoning districts, as well as the proposed zoning change, are consistent with the general plan designation.

ENVIRONMENTAL ANALYSIS:

Staff is recommending that the Planning Commission consider and recommend that the proposed rezoning is exempt from further environmental review pursuant to the General Rule Exemption under Section 15061(b)(3) of the California Environmental Quality Act (CEQA) Guidelines.

The site has been historically utilized for residential purposes on the northwest side of Sweeny Creek and dryland farming on the southeast side. Approximately half of the area to be rezoned Rural Residential "RR-5" is currently zoned Rural Residential "RR-2.5". The zoning change represents a downzoning for this area, whereas a permitted density of housing and development is reduced. The balance of the rezone area is currently zoned Exclusive Agriculture; however this area has historically functioned for residential purposes. The rezoning would be reflective of the existing physical environment and would not result in a loss of productive agricultural land.

FINDINGS

Rezoning Petition

The Department recommends the Planning Commission make the following findings in recommending approval of the proposed zone change to the Board of Supervisors:

- 1. The proposed zone change is in conformity with the Solano County General Plan with respect to land use, population densities and distribution, traffic circulation and other aspects of the General Plan considered by the Board of Supervisors to be permanent.**

As seen on Table LU-7 of the Solano County General Plan the proposed Rural Residential "RR-5" zoning is consistent with the Rural Residential General Plan designation for the property. The existing residential development of one primary dwelling per parcel, proposed minimum parcel size of 5 acres for lots supported by domestic water well and private septic system, density, and access are in conformity with the proposed zoning and existing designation.

- 2. The 15.69 acres of land proposed to be rezoned Rural Residential "RR-5" is contiguous to other Rural Residential zoned parcels.**

Adjacent parcels located north and east of the subject site share the proposed Rural Residential zoning district.

California Environmental Quality Act

- 3. The project does not have the potential for causing a significant effect on the environment; therefore a Notice of Exemption shall be prepared for the project pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15061(b)(3), General Rule exemption.**

A Notice of Exemption shall be prepared and filed pursuant to CEQA Guidelines Section 15061(b)(3). The project qualifies for this exemption because the site has been historically utilized for residential purposes on the northwest side of Sweeny Creek and dryland farming on the southeast side. Approximately half of the area to be rezoned Rural Residential "RR-5" is currently zoned Rural Residential "RR-2.5". The zoning change represents a downzoning for this area, whereas a permitted density of housing and development is reduced. The balance of the rezone area is currently zoned Exclusive Agriculture; however this area has historically functioned for residential purposes. The

rezoning would be reflective of the existing physical environment and would not result in a loss of productive agricultural land.

Attachments:

- A - Draft Resolution
- B - Assessor's Parcel Map
- C - Vicinity Map
- D - Rezoning Exhibit

**SOLANO COUNTY PLANNING COMMISSION
RESOLUTION NO.**

**RESOLUTION RECOMMENDING
APPROVAL OF REZONING PETITION Z-17-04
TO THE SOLANO COUNTY BORD OF SUPERVISORS**

WHEREAS, the Solano County Planning Commission, after proper notice, conducted a public hearing on February 21, 2019, related to the Goudie et. al. property including Rezoning Petition Z-17-04 and a Notice of Exemption to be prepared for the project; and

WHEREAS, after considering the Rezoning Petition, environmental analysis, and all public testimony offered at the hearing, the Planning Commission has determined that there is no substantial evidence that the Goudie et. al. project will have a significant effect on the environment, and that a Notice of Exemption shall be filed for the project; and

WHEREAS, after public testimony and due deliberation, the Planning Commission has determined that the proposed rezoning is appropriate and desirable, and is consistent with the Solano County General Plan.

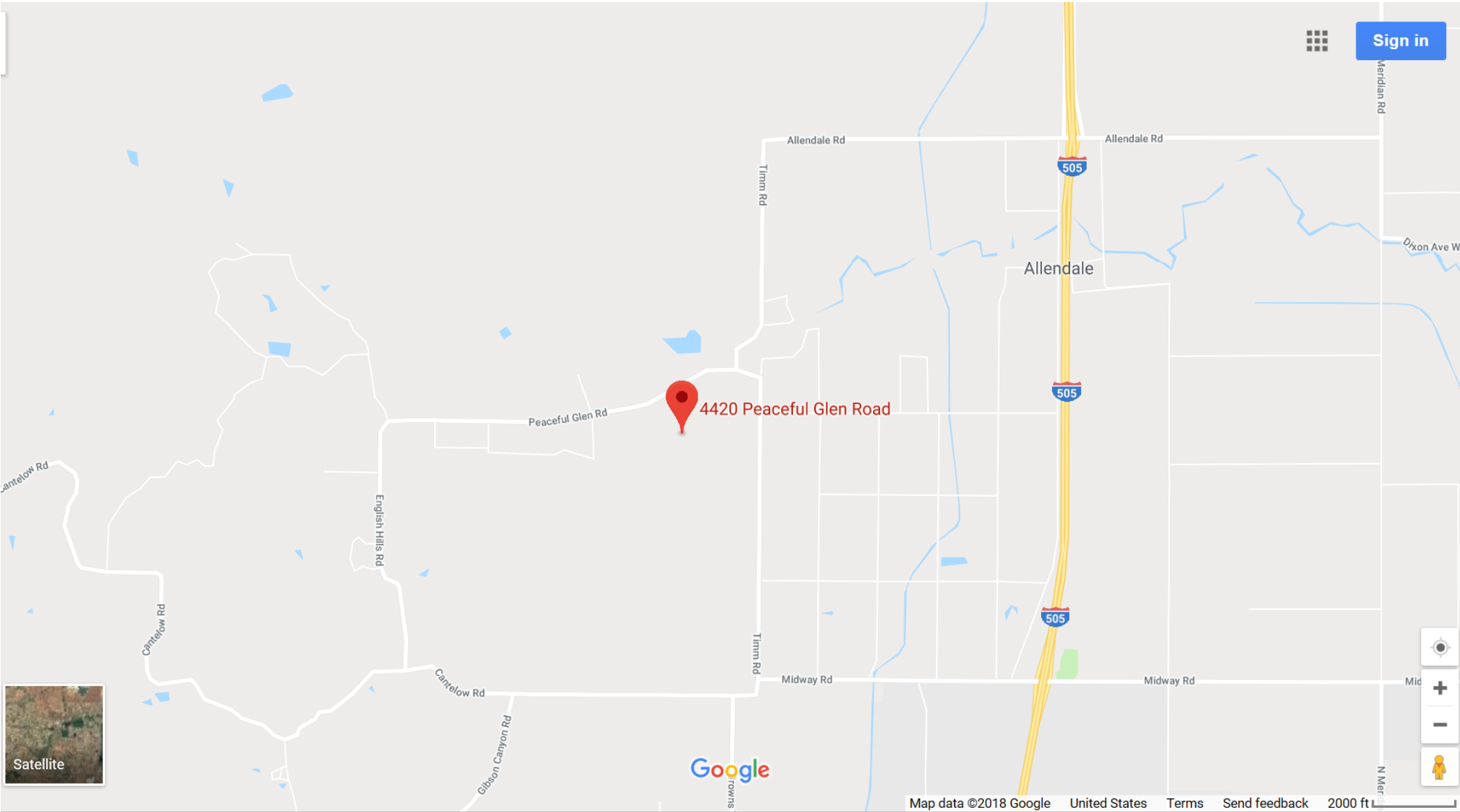
RESOLVED, that the Solano County Planning Commission does hereby recommend approval of the proposed rezoning petition to the Solano County Board of Supervisors.

* * * * *

I hereby certify that the foregoing resolution was adopted at the regular meeting of the Solano County Planning Commission on February 21, 2019, by the following vote:

| | | |
|----------|---------------|-------|
| AYES: | Commissioners | _____ |
| | | _____ |
| NOES: | Commissioners | _____ |
| ABSTAIN: | Commissioners | _____ |
| ABSENT: | Commissioners | _____ |

By: _____
Bill Emlen, Secretary



Attachment B—Vicinity Map



Solano County

675 Texas Street
Fairfield, California 94533
www.solanocounty.com

Agenda Submittal

| | | | |
|------------------------|--|----------------------|------------------------|
| Agenda #: | 3 | Status: | PC-Regular |
| Type: | PC-Document | Department: | Planning Commission |
| File #: | PC 19-014 | Contact: | Eric Wilberg, 784.6765 |
| Agenda date: | 2/21/2019 | Final action: | |
| Title: | Public Hearing to consider and make a recommendation to the Board of Supervisors on a proposed Ordinance, Zone Text Amendment No. ZT 17-03, to amend Chapter 28 of the Solano County Code relating to legal, nonconforming churches within the Suisun Valley Agriculture "A-SV-20" and Agricultural Tourist Center "ATC" zoning districts to allow for the expansion of such uses subject to discretionary approval via the use permit amendment process. (Project Planner: Eric Wilberg) Staff Recommendation: recommend the Board of Supervisors approve the zone text amendment | | |
| Governing body: | Planning Commission | | |
| District: | | | |
| Attachments: | A - Draft Ordinance Nonconforming Churches B - Location Map | | |

| Date | Ver. | Action By | Action | Result |
|------|------|-----------|--------|--------|
|------|------|-----------|--------|--------|

DEPARTMENTAL RECOMMENDATION:

The Department of Resource Management recommends that the Planning Commission consider and make a recommendation to the Board of Supervisors on a proposed Ordinance, Zoning Text Amendment No. ZT 17-03, to amend Chapter 28 of the Solano County Code relating to legal, nonconforming churches within the Suisun Valley Agriculture "A-SV-20" and Agricultural Tourist Center "ATC" zoning districts to allow for the expansion of such uses subject to discretionary approval via the use permit amendment process. (Attachment A: Nonconforming Churches Ordinance)

SUMMARY:

Solano County Zoning Regulations currently prohibit new religious facilities from locating within Agricultural zoning districts. In addition, existing legal nonconforming churches within these districts are limited to the terms and conditions of an approved use permit pursuant to the Nonconforming Uses section of the Zoning Regulations (County Code Section 28.114). In general, nonconforming uses of land and buildings are limited to the size, scope, and intensity of that which was lawfully established and existing prior to the adoption of any provision of the Zoning Regulations that renders such uses nonconforming.

The Guru Nanak Sikh Temple located at 2948 Rockville Road has filed a Zone Text Amendment to amend the Nonconforming Uses section of the County Zoning Regulations to set forth a discretionary permitting process for legal, nonconforming churches within the Suisun Valley Agriculture zoning districts to pursue an expansion or intensification.

FINANCIAL IMPACT:

The costs to prepare the ordinance amendment have been paid to the Department of Resource Management via the Zone Text Amendment application fee.

DISCUSSION:

Background

The Guru Nanak Sikh Temple is subject to the terms and conditions of an approved use permit (U-97-13) originally granted February 2, 1999.

In March 2001, through Ordinance No. 1604, the Board of Supervisors amended Chapter 28 of the Solano County Code (Zoning Regulations) to preclude the establishment of new churches in the Exclusive Agricultural zoning districts in order to prevent the conversion of agricultural properties to non-agricultural uses that have the potential to draw large assemblages of people.

Churches lawfully established within Exclusive Agricultural zoning districts prior to the enactment of Ordinance No. 1604 became legal nonconforming land uses, and could continue to operate but could not expand in size or intensity of use.

In February 2011, through Ordinance No. 2011-1717, the Board of Supervisors established new zoning districts and enacted new zoning regulations for the Suisun Valley area. The Guru Nanak Sikh Temple property was rezoned Suisun Valley Agriculture "A-SV-20" at that time; however the church land use remained lawfully established yet nonconforming with respect to current zoning regulations

Objective

The applicant is proposing to allow legal nonconforming churches within the A-SV-20 and ATC zoning districts the ability to seek discretionary approval to expand, through the use permit amendment process, in order to accommodate the needs of their growing congregation. This amendment to the zoning regulations would allow nonconforming churches within the A-SV-20 or ATC zoning districts, legally established prior to February 21, 2019, and subject to an approved use permit, the ability to be enlarged or expanded, provided that any such enlargement or expansion complies with the development standards in section 28.73.30(B)(1), is contained entirely within the parcel originally approved for the use, would not adversely impact agricultural operations on nearby properties, and is approved as an amendment to the use permit.

Recommendation

The Department has prepared a draft ordinance that accomplishes the objective of providing a permitting process which allows the Planning Commission to consider use permit amendment applications for the expansion or intensification of existing legal, nonconforming churches within the Suisun Valley provided that such expansion would not adversely impact agricultural operations on nearby properties. The proposed ordinance would be applicable to two additional religious facilities within the Suisun Valley, including Presbytery of the Redwoods located 4177 Suisun Valley Road (Use Permit U-95-34) and Community of Christ located at 4084 Suisun Valley Road (Use Permit U-77-11).

Reference Attachment B, Location Map

Staff is recommending an ordinance which applies the following development standards to existing legal, nonconforming churches within Suisun Valley seeking expansion or intensification:

- Proposed expansion is consistent with the development standards in section 28.73.30(B)(1),
- Proposed expansion is located entirely within the parcel originally approved for the use.
- Proposed expansion does not adversely impact agricultural operations on nearby properties.
- Proposed expansion is subject to the terms and conditions of an approved amendment to the use permit.

General Plan and Zoning Consistency

The proposed ordinance amendment makes changes to the Nonconforming Uses section of the Zoning Regulations, applicable specifically to the Suisun Valley Agriculture “A-SV-20” and Agricultural Tourist Center “ATC” Zoning Districts. The amendment does not alter the permitted or prohibited land uses within the Suisun Valley Agricultural Zoning Districts. As seen on the General Plan / Zoning Consistency Table (General Plan Table LU-7) the zoning remains consistent with the applicable Agricultural General Plan Designation for the area.

Environmental Analysis:

Staff is recommending that the Planning Commission consider and recommend that this proposed ordinance amendment is exempt from further environmental review pursuant to the General Rule Exemption under Section 15061(b)(3) of the California Environmental Quality Act (CEQA) Guidelines. The proposed ordinance amends the Nonconforming Uses section of the County Zoning Regulations and sets forth a discretionary permitting process should legal, nonconforming churches within the Suisun Valley Agriculture zoning districts pursue an expansion or intensification. Further environmental review would be required on a project specific basis. The proposed ordinance amendment poses no development nor any other physical alterations on the environment.

PUBLIC HEARING NOTICE:

In accordance with Solano County Zoning Regulations, notice of a public hearing was published at least 15 days before the scheduled hearing in the Fairfield Daily Republic.

ALTERNATIVES:

The Planning Commission may choose alternative actions, including:

1. Approval of the proposed Zone Text Amendment with modifications; or
2. Continue the item to a later date to acquire additional information; or
3. Disapproval of the proposed Zone Text Amendment

OTHER AGENCY INVOLVEMENT:

The proposed zoning amendments will also be submitted to the Airport Land Use Commission as required under state law prior to the Board of Supervisors consideration of the ordinance.

ATTACHMENTS

- A** - Draft Ordinance
- B** - Location Map

ORDINANCE NO. 2019 - ___

An Ordinance amending Chapter 28 of the Solano County Code relating to churches in the A-SV-20 and ATC zoning districts

Section 1. Findings. The Board of Supervisors of the County of Solano ("County") finds and declares as follows:

Whereas, in March 2001, through Ordinance No. 1604, the Board of Supervisors amended Chapter 28 ("Zoning Regulations") to preclude the establishment of new churches in the Exclusive Agricultural zoning districts in order to prevent the conversion of agricultural properties to non-agricultural uses that have the potential to draw large assemblages of people; and

Whereas, churches lawfully established within Exclusive Agricultural zoning districts prior to the enactment of Ordinance No. 1604 became legal nonconforming land uses, and could continue to operate but could not expand in size or intensity of use; and

Whereas, in February 2011, through Ordinance No. 2011-1717, the Board of Supervisors established new zoning districts and enacted new zoning regulations and for the Suisun Valley area, to protect the agricultural economy of that area by fostering development of agritourism land uses; and

Whereas, it is in the public interest to allow legal nonconforming churches in the A-SV-20 and ATC zoning districts to seek discretionary approval to expand, through the use permit amendment process, in order to accommodate the needs of growing congregations, if such expansion would not adversely impact agricultural operations on nearby properties.

Therefore, the Board of Supervisors of the County of Solano ordains as follows:

Section 2. Solano County Code Section 28.114 is amended to add subdivision (H)(4), to read as follows:

Nonconforming churches in the A-SV-20 or ATC district, legally established prior to February 21, 2019, and subject to an approved use permit, may be enlarged or expanded, provided that any such enlargement or expansion complies with the development standards in section 28.73.30(B)(1), is contained entirely within the parcel originally approved for the use, would not adversely impact agricultural operations on nearby properties, and is approved as an amendment to the use permit.

Section 3.

Any portion of this ordinance deemed invalid or unenforceable shall be severed from the remainder, which shall remain in full force and effect.

Section 4.

This ordinance shall take effect 30 days after its adoption.

Section 5.

A summary of this ordinance will be published within 15 days after its adoption in the Fairfield Daily Republic, a newspaper of general circulation in Solano County.

Passed and adopted by the Solano County Board of Supervisors at its regular meeting on (month and day, 2019) by the following vote:

AYES: SUPERVISORS _____

NOES: SUPERVISORS _____

EXCUSED: SUPERVISORS _____

ERIN HANNIGAN, Chairwoman
Solano County Board of Supervisors

ATTEST:
BIRGITTA E. CORSELLO, Clerk
Board of Supervisors

By: _____
Jeanette Neiger, Chief Deputy Clerk

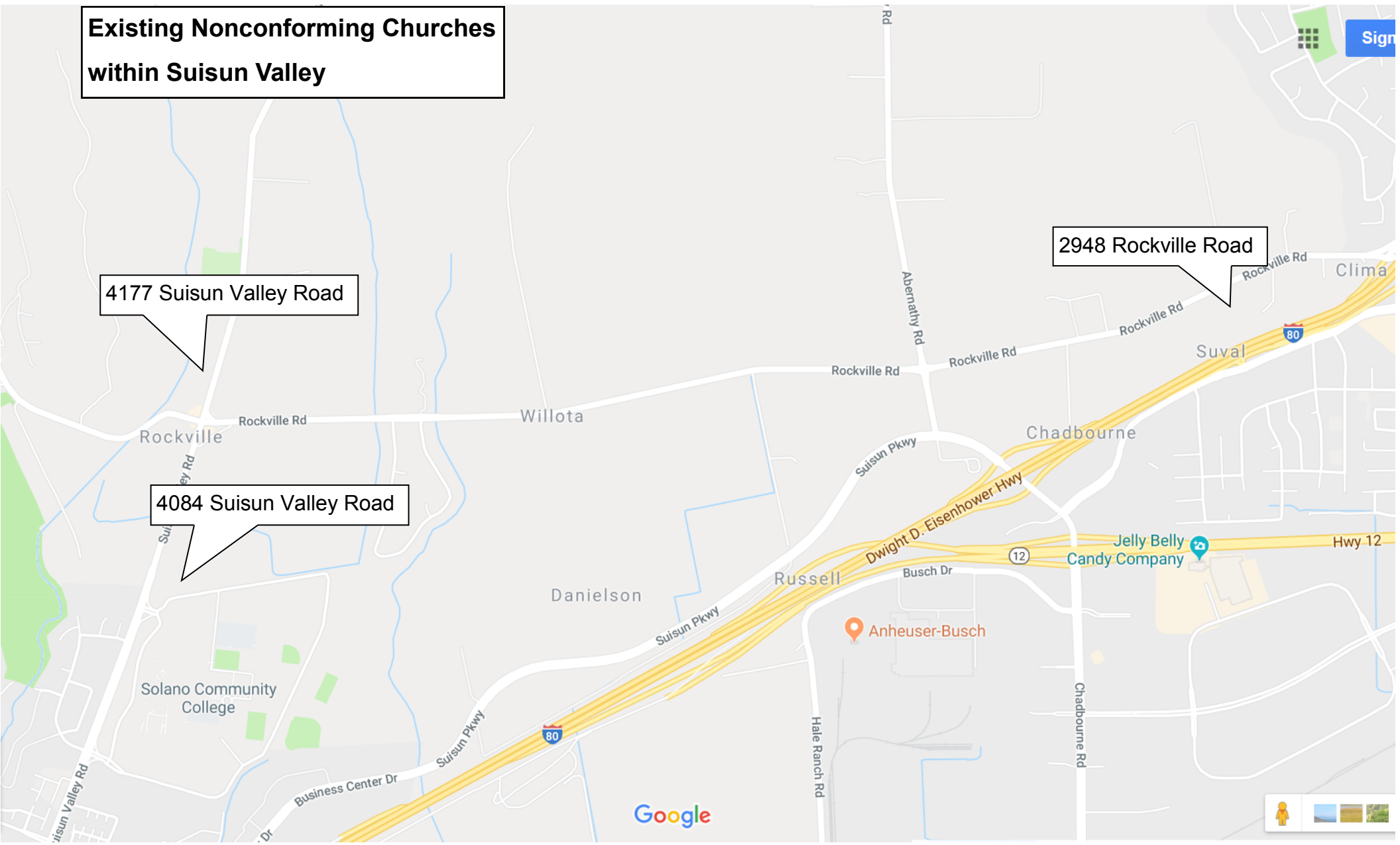
Introduced:
Adopted:
Effective:
Operative:

**Existing Nonconforming Churches
within Suisun Valley**

4177 Suisun Valley Road

4084 Suisun Valley Road

2948 Rockville Road



**SOLANO COUNTY PLANNING COMMISSION
APPOINTMENT AND ATTENDANCE REPORT**

February 21, 2019

* * * * *

| <u>NAME</u> | <u>DIST. NO.</u> | <u>APPT. DATE EXPIRATION DATE</u> | <u>PERCENT OF MEETING ATTENDANCE *</u> | |
|---------------------|------------------|------------------------------------|--|-------------|
| | | | <u>2018</u> | <u>2017</u> |
| JOHNNY WALKER | 1 | February 19, 2013 Jan. 31, 2021 | 88% (15/17) | 88% (7/8) |
| PAULA BAUER | 2 | March 7, 2017 Jan. 31, 2021 | 100%(17/17) | 100% (7/7) |
| KELLY RHOADS-POSTON | 3 | Feb. 2, 2010 Jan. 31, 2023 | 88% (15/17) | 100% (8/8) |
| KAY CAYLER | 4 | Feb. 22, 2011 Jan. 31, 2019 | 88% (15/17) | 100% (8/8) |
| GIL HOLLINGSWORTH | 5 | August 5, 2014 Jan. 31, 2021 | 100% (17/17) | 100% (8/8) |

* Meetings attended / meetings held
(February 1, 2018 – February 7, 2019)