

DEPARTMENT OF RESOURCE MANAGEMENT

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Planning Services Division

**MINUTES OF THE SOLANO COUNTY
ZONING ADMINISTRATOR'S MEETING**

Meeting of October 6, 2022

The regular meeting of the Solano County Zoning Administrator was called to order at 10:00 a.m. in the Department of Resource Management, Fairfield, California, and via audioconference.

STAFF PRESENT

Allan Calder, Acting Zoning Administrator
Nedzlene Ferrario, Project Planner (Audioconference)
Jeffrey Lum, Project Planner
Matt Tuggle, Engineering Manager (Audioconference)
Pejman Mehrfar, Sr. Civil Engineer (Audioconference)
Marianne Richardson, Clerk

OTHER PARTICIPANTS

Paul Dahlen
Daniel Schwartz (Audioconference)
Denise Revel (Audioconference)

PUBLIC HEARINGS

OLD BUSINESS (Continued from September 15, 2022):

- PUBLIC HEARING** to consider Minor Subdivision application MS-19-02 of Joseph Abrew to subdivide 82.9 acres into three (3) 20-acre parcels and one (1) 22.9-acre parcel for total of four (4) parcels in the Exclusive Agriculture 20-acre zoning district (A-20). The property is located north side of Brehme Lane, 4000 feet east of Pleasants Valley Road, within unincorporated Vacaville, California. APN 0102-090-140. (Project Planner: Nedzlene Ferrario)
Staff Recommendation: Approval

Action: Allan Calder, Acting Zoning Administrator, stated that Staff has requested the item be removed from the agenda for the applicant to resolve outstanding matters and therefore took action to remove this public hearing of application MS-19-02 from the agenda. The item will be re-noticed for public hearing when scheduled at a later date.

NEW BUSINESS:

- PUBLIC HEARING** to consider Revision No. 1 to Land Use Permit U-04-08 to install new antennas on an existing ATC lattice tower and propose a lease area within the existing compound to install equipment cabinet, ground-mounted equipment, and a standby diesel generator with fuel tank located on Gates Canyon Road, Vacaville, CA 95688, between Solano and Napa County within the Watershed and Conservation "W-160" Zoning District, APNs 0121-010-070 & 033-200-017. (Project Planner: Jeffrey Lum) **Staff Recommendation:** Approval

Any person who believes he or she has been adversely affected by the decision of the Zoning Administrator may file an appeal of the decision to the Planning Commission within ten days.

Action: Mr. Calder opened the public hearing. The applicant, Natalie Liu representing AT&T, arrived shortly after the start of the public hearing.

1) Daniel Schwartz stated he submitted written public comments which Mr. Calder noted were received and are part of public record. Mr. Schwartz is an adjacent landowner to the subject property and spoke at length citing concerns of public safety, private road maintenance, adequate parking, parking on private roadway, dust/dirt, visual impact, review of alternative sites, non-operational facility since August 2020, and potential impacts to existing telecommunication services. He asked the applicant to review alternate sites that are operational which would not require as much revision for use.

Speaking on behalf of AT&T, Ms. Liu stated their radio frequency engineer has evaluated the site and prepared the radio frequency compliance report provided with application. She stated this site is the only available co-location facility with agreeable landowner that will provide the needed coverage.

Public Works Engineering Manager Matt Tuggle spoke of the private roadway concern stating that it is an interest of Public Works to make a public road connection between Mix Canyon and Gates Canyon roads and will review for the Capital Improvement Plan. He further stated that traffic impacts from this project will be below residential use (5-10 trips per day).

Mr. Schwartz and Mr. Tuggle continued discussion of the private roadway concern. Mr. Tuggle recommended that Mr. Schwartz submit a letter to Solano County requesting County public road connection.

2) Paul Dahlen, Vacaville Fire Prevention District Captain, had no concerns of the tower itself but stated concern with Gates Canyon and Blue Ridge Roads needing maintenance as the fire district needs access to this area.

Mr. Tuggle discussed the evolution of Gates Canyon Road, its difficulty in construction and maintenance due to topography, lack of easement connections, and that it would help if property owners initiated interest for a County public road connection. He stated the County does not have the resources to bring Gates Canyon Road to a fire standard. And further stated he would bring the maintenance concern to the Operations Division and the potential public road connection to the Board of Supervisors.

Responding to a question by Mr. Dahlen, Mr. Tuggle discussed public roadway budgeting for allowed parcel land uses. The issue is the private roadway that is outside of easement. Mr. Tuggle suggested the landowners pursue a roadway maintenance agreement which is normal for a private roadway. Mr. Schwartz responded that prior efforts on an agreement did not pan out, and American Tower to date had not returned phone calls or responded.

Project Planner Jeffrey Lum stated the project is a minor revision of a private site, and the County has no jurisdiction on the private road or maintenance agreement between parcel owners. This project site will generate one personnel site visit per week, well below the threshold for this use. He further noted that although the maintenance discussion of Gates Canyon, Mix Canyon and Blue Ridge Roads is beneficial, it should not affect the decision of this minor revision of an existing structure. This site will minimize visual impacts of freestanding structures and will provide the least environmental impact.

Mr. Schwartz stated that although this is an existing tower, it has been nonoperational since August 2020 and should have been removed within 12 months based on County Zoning Regulations. There are other operational towers that would not require alternation and he would like to see the alternative site analysis before approval of this project.

Ms. Liu stated the existing facility is a non-telecommunication lattice tower and believed the condition for equipment removal applies to telecommunication facilities. She further discussed the requirements for their use, and this site was ultimately chosen for the least visual impact and the best coverage.

Mr. Calder asked the applicant if a summary of sites analysis could be found in her application. Ms. Liu stated she believed an alternative sites analysis was not required for revision to the use permit, but one could be provided if necessary. Mr. Calder stated he did not believe that was a requirement for revision of a land use permit.

Denise Revel stated she supports the statements of Mr. Schwartz and is in opposition to this project.

Since there were no further speakers either for or against this matter, Mr. Calder closed the public hearing. He further stated that having reviewed written public comments and hearing comments at this meeting, although discussion was fruitful, several comments are pertaining to matters outside of the revision to this land use permit. Based on the staff report and testimony received, Mr. Calder took action to approve the project subject to the recommended conditions of approval. After a 10-day appeal period, a permit will be issued to the applicant.

Since there were no further agenda items, Mr. Calder adjourned the Zoning Administrator meeting of October 6, 2022.