



# Solano County

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

## Minutes - Final Planning Commission

---

Thursday, February 16, 2023

7:00 PM

Board of Supervisors Chambers

---

### CALL TO ORDER

The Solano County Planning Commission met on February 16, 2023, in regular session in the Board of Supervisors' Chambers at the Solano County Government Center, 675 Texas Street, Fairfield, California at 7:00 p.m.

Solano County staff members present were Director of Resource Management Terry Schmidtbauer, Planning Services Manager Allan Calder, Deputy County Counsel Jim Laughlin, and Clerks Melissa Catron and Marianne Richardson.

### SALUTE TO THE FLAG

### ROLL CALL

Present were Commissioners Jack Batson, Loretta Gaddies (Webex), Michael Reagan and Vice-Chair Kay Cayler.

### APPROVAL OF AGENDA

On a motion by Commissioner Reagan, and seconded by Commissioner Batson, the agenda was approved by affirmation.

### APPROVAL OF THE MINUTES

- 1 [PC 23-004](#) Approve the minutes of the Planning Commission meeting of January 19, 2023

*Attachments:* [January 19, 2023 Minutes - Draft](#)

On a motion by Commissioner Gaddies, and seconded by Commissioner Reagan, the minutes of January 19, 2023 were approved by affirmation.

### ITEMS FROM THE PUBLIC:

There were no speakers.

### REGULAR CALENDAR

- 3 [PC 23-005](#) Conduct a noticed public hearing to consider amendments to Solano County Code, Chapter 28- Zoning Regulations relating to enforcement procedures

and penalties for violations of the Zoning Regulations; and Adopt a resolution to forward a recommendation of approval to the Board of Supervisors to adopt the proposed Zoning Regulation amendments. The proposed zoning regulation amendments are exempt from the requirements of CEQA under the “common sense” exemption since the revisions are a set of technical adjustments and corrections which do not alter prior regulations for intensity or location of development or any other physical alterations to the environment

*Attachments:* [A - Draft Amendments to Section 28.113](#)  
[B - Public Notice](#)  
[C - Summary Table of Proposed Changes](#)

**Planning Manager Allan Calder presented the zone text amendment ZT-23-02 to the Commission.**

**Responding to a clarification request from Commissioner Reagan, County Counsel Jim Laughlin stated the Board of Supervisors adopted amendments to Solano County Code Chapter 10 to abate public nuisances; zoning code violations are a public nuisance and this amendment will integrate with the adopted Chapter 10. If a zoning code violation is found to exist through Chapter 28 regulations, then the Chapter 10 process for possibly imposing administrative penalties apply.**

**Vice Chair Cayler opened the public hearing. There were no speakers and the public hearing was closed.**

**Commissioner Reagan stated he had misgivings of some parts of the amendment but understands the Board of Supervisors will review/modify the amendment.**

**On a motion made by Commissioner Batson, and seconded by Vice Chair Cayler, the Commission adopted the resolution to recommend that the Board of Supervisors adopt the proposed ordinance, Zone Text Amendment No. ZT-23-02. So ordered by 3-1 vote.**

**4**      [PC 23-006](#)

Conduct a noticed public hearing and make a recommendation to the Board of Supervisors on a proposed Ordinance, Zone Text Amendment No. ZT-23-01, amending Solano County Code Chapter 28 - Zoning Regulations to revise and update definitions and regulations for dwellings used for transient lodging, including hosted rentals, bed and breakfast inns, agricultural homestays, and vacation home rentals, and to serve as the Short-Term Vacation Home Rental Ordinance in unincorporated Solano County. The proposed ordinance is exempt from the requirements of CEQA under the “common sense” exemption since this ordinance is a set of technical adjustments and corrections which do not alter prior regulations for intensity or location of development or any other physical alterations to the environment

*Attachments:* [A - Draft Zoning Code Amendments and Definitions \(28.75.30\)](#)  
[B - Public Notice](#)  
[C - Draft VHR SRA mapping](#)  
[D - Summary of Key Changes Comparison Table](#)

Planning Manager Allan Calder presented the zone text amendment ZT-23-01 to the Commission noting a handout from County staff recommending revision to Solano County Code section 28.75.30 to include fire safety language.

Commissioner Batson commented that most of the high fire severity zones will consist of smaller (up to 10 acre) lots and asked where and how many would be affected by this amendment. Resource Management Director Terry Schmidtbauer stated the amendment proposes that Rural Residential zones would not be eligible for vacation house rental (VHR) leaving Agriculture (A-20) and Agriculture-Suisun Valley (ASV-20) zones. Then the State Responsibility Area (SRA) designation and Fire Hazard Severity Zone would be reviewed for eligibility. The intent is to focus on agricultural property and agritourism. The amendment will allow VHRs where safe and have an exception if shown to be hardened from fire risk.

Vice Chair Cayler opened the public hearing.

1. Add Kennon of Sandy Beach Road provided a handout to Commissioners and spoke in opposition of the amendment as it would not allow his property to be permitted for short term rental.
2. Diana Bryggman of Green Valley Road operates a VHR and is in agreement with the amendment to help reduce nuisances but suggested revising the minimum rental term and tailoring the permit application for VHR.
3. Matthew Nattenberg of Sandy Beach Road spoke of the benefits of VHRs for workers, travelers and local economies.
4. Lisa Howard of Williams Road stated concern with ordinances and zoning amendments affecting the Suisun Valley Strategic Plan without representation from Suisun Valley property owners. She suggested a committee be formed to represent Suisun Valley for discussions with County staff prior to a public hearing. She noted the Fire Safety handout was only available at the meeting and will affect many Suisun Valley properties and that the farm stay amendments were more stringent than described in the staff report.
5. Jim Leland, representing Caymus Vineyards, spoke of the Suisun Valley Strategic Plan as a stakeholder driven process with external consultants and agriculture experts. He would like any initiation to the change of rules in either the general plan or ordinance affecting Suisun Valley to start with a study session by the Planning Commission where staff present their ideas and the stakeholders and public can comment. The Commission would provide guidance to County staff on how to proceed with the stakeholders because it's more important to them than any other resident or business in the County, and because the Board actually set up an Economic Development Zone in Suisun Valley.
6. Michael Roads of Blue Mountain Drive spoke of his short term rental provider experience and asked that property owners be allowed to leverage their investment and rural residential zoning be allowed without acreage requirements.
7. Dan Schwartz of Blue Ridge Road commented on the fire safety regulations and suggested staff require more defensible space for home hardening and an

inspection by local/state fire personnel with the permit process.

8. Clair Whitmer of Sandy Beach voiced support of the amendment noting the proliferation of VHR activity in her community has caused conflicts given the proximity of homes and shared parking.

9. Venus Robinson of Green Valley Road commented that a “hosted rental” should be allowed if the owner resides on property and can see the rental unit, the 3 night rental term should not be approved and asked why there is a 10 acre lot minimum.

Mr. Schmidtbauer responded that there was not an acreage limit but a zoning limit, and staff would look up the zoning for Ms. Robinson.

10. Leticia De La Cruz Salas of Sandy Beach Road commented on the benefits of VHRs in Solano County for tourism and the local economy and asked that the amendment be adopted to allow eligibility in their Vallejo community.

Commissioner Reagan recommended that a joint meeting between the Board and the Commission be scheduled to address the concerns with the amendment.

Commissioner Batson stated that he knows and has spoken with some of the speakers prior to the meeting and is in favor of adding a process for stakeholder involvement. He noted the Land Use and Transportation Committee (LUTC) includes two Supervisors from the Board, and there should be an equivalent process for stakeholders. He asked staff if existing short term rentals that will become ineligible could be grandfathered.

Mr. Schmidtbauer responded that VHRs in operation today would continue to be in operation and if they did not comply with the standards would just be non conforming. New applications could not be grandfathered. He further stated there are no permitted VHRs in Sandy Beach since VHRs have never been allowed in that zoning district. Sandy Beach has unique factors that make allowing VHRs in that zoning district challenging. However, with direction from the Commission and Board, staff can further review this area.

Mr. Laughlin noted that Sandy Beach is in the RTC zoning district which covers other areas within unincorporated Vallejo; any land use changes to the RTC district will affect other areas unless a special district is created for Sandy Beach.

Mr. Schmidtbauer commented that the County is trying to allow VHRs but there are other things the County has to meet such as housing allocation numbers. He further commented the LUTC was a publicly noticed meeting and the public did attend; and Commissioner Batson asked the audience if they knew of the LUTC meeting.

Vice Chair Cayler commented that if public notices are published in the Daily Republic, you would have to get that paper. Mr. Schmidtbauer stated Mr. Calder sent the notice to short term rental owners.

Responding to a question by Commissioner Batson regarding a yearly rental, Mr. Schmidtbauer stated the short term rental regulations apply only to rentals

less than 30 days. Mr. Calder noted he has spoken with Mr. Kennon about renting his unit for 30+ day terms without a permit.

Commissioner Reagan asked of the change in the SRA mapping, Mr. Schmidtbauer stated the Suisun Valley area will see changes in the high area mapping but the County included an exemption for property owners shown to have hardened against fire risk. Mr. Laughlin added that State rules do not prevent VHRs in fire hazard zones, however the State does have standards whenever we issue a use permit or new construction which must meet certain construction and access standards.

Commissioner Batson stated he would vote to defer this amendment to allow input from stakeholders.

Vice Chair Cayler noted the Commission would be recommending the item to the Board which may completely alter the amendment. Commissioner Reagan also believed there will be modifications made by the Board. Mr. Schmidtbauer noted various recommendations the Commission could make to the Board.

Commissioner Batson asked about methods by which requirements could be made for a specific area, such as in Suisun Valley, in Pleasants Valley. Mr. Schmidtbauer stated the issue is that zoning districts are countywide, although Suisun Valley is unique with the ASV-20 zoning district. There are ways to break out overlays but it is a comprehensive process.

Mr. Laughlin commented that for public outreach, State law requires a 10-day notice for any public hearings on zoning amendments and our practice and rule in Solano County is a 15-day notice. We could extend that timeframe but strongly advised that any additional time be applied countywide.

Commissioner Batson suggested a couple more weeks to allow stakeholder input. He did not feel the public knew of the LUTC meeting and recommended the County have an adequate stakeholder input process to land use decisions.

Commissioner Gaddies commented on the amount of work put into this amendment and of the comments and concerns heard tonight.

Vice Chair Cayler commented on the public notification process and where there is a vested interest maybe there needs to be more notification. She stated the Commission could improve upon or add comments, but the Board will modify the proposed amendment. She understands Sandy Beach is a difficult situation and that the residents will have to work on that together. Vice Chair Cayler recommended a 2 night minimum rental term.

On a motion made by Commissioner Reagan, and seconded by Commissioner Batson, the Commission adopted the resolution to recommend that the Board of Supervisors adopt the proposed ordinance, Zone Text Amendment No. ZT-23-01, with revision to include the exemption for the Fire Hazard Severity Zones and a two (2) night minimum rental term. So ordered by 4-0 vote.

**2**      [PC 23-007](#)

NOMINATION and ELECTION of Chair and Vice-Chair for the ensuing year

Attachments:      [Annual Attendance Report 2022](#)

This item was moved to the end of the agenda.

On a motion by Commissioner Reagan, seconded by Commissioner Batson, to nominate Vice-Chair Cayler as Chair for the ensuing year, Vice-Chair Cayler accepted the nomination. The motion passed unanimously.

On a motion of Chairperson Cayler, seconded by Commissioner Batson, to nominate Commissioner Reagan as Vice-Chair for the ensuing year, Commissioner Reagan accepted the nomination. The motion passed unanimously.

## **ANNOUNCEMENTS AND REPORTS**

Mr. Laughlin spoke of the Brown Act Compliance Memo sent to Commissioners due to the end of the COVID State of Emergency and going back to in-person meetings.

Mr. Calder noted that items are scheduled for the March 2 agenda.

## **ADJOURN**

This meeting of the Solano County Planning Commission adjourned at 8:50 p.m. The next regular meeting is scheduled for March 2, 2023.