

DEPARTMENT OF RESOURCE MANAGEMENT

TERRY SCHMIDTBAUER
Director

JAMES BEZEK
Assistant Director

ALLAN CALDER
Planning Services Manager



SOLANO
COUNTY

675 Texas Street, Suite 5500
Fairfield, CA 94533-6342
(707) 784-6765
Fax (707) 784-4805

www.solanocounty.com

Planning Services Division

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

Meeting of September 7, 2023

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
Marianne Richardson, Clerk
Travis Kroger, Project Planner
Nedzlene Ferrario, Principal Planner
Chris Ambrose, HazMat Specialist

OTHER PARTICIPANTS

Ryan Hooper
Jon Growgley
Rod Sherry
Chris Burns
William Dytrych

Ken Odom
Richard Bello
Rick Bello Jr.
Jerome Klima
Brian West

ADMINISTRATIVE APPROVALS

- 1. Waiver Application No. **WA-23-04** to waive the enclosed two (2) car garage requirement for the as-built primary dwelling in favor of one (1) parking space under a covered patio and four (4) uncovered parking spaces adjacent to the driveway and existing dwellings, located at 5406 Vaca Station Road in unincorporated Solano County, within the Residential – Traditional Community 1-acre minimum (RTC-1AC) Zoning District; APN 0142-093-100. (Project Planner: Travis Kroger) **Approved**

PUBLIC HEARINGS

OLD BUSINESS

- 2. PUBLIC HEARING continued from July 6 and August 3, 2023 to consider Minor Use permit application No. **MU-22-05** by 6734 Midway Partners LLC to establish a Junkyard/Wrecking Yard for storage and sales of total loss vehicles on a 39.11-acre parcel. The property is located at 6734 Midway Road, one (1) mile south of the City of Dixon in the General Manufacturing ½ acre minimum (M-G-1/2) zoning district, APN 0112-080-120. (Project Planner: Travis Kroger) **Staff Recommendation:** Approval

Action: The applicants, represented by Ryan Hooper, were present. Mr. Hooper stated they received the staff report and provided comments to Project Planner Travis Kroger that morning requesting modification to two conditions of approval (18.c and 18.d).

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.

Mr. Kroger stated the revisions proposed by staff to conditions of approval are:

- 18.c. Storage of hybrid and electric vehicles shall be allowed in a designated area of the site. No limit is placed on the number of electric vehicles which may be stored, but such vehicles must be stored separately from internal combustion powered vehicles in a location ~~on the site~~ **as shown on the attached site plan or other area** as approved by the Dixon Fire Protection District.
- 18.d. Hybrid and electric vehicles shall be transported and stored in a manner consistent with the **attached best management practices provided by the applicant, and follow to the extent possible the recommendations of the** Society of Automotive Engineers (SAE) J2990 Hybrid and Electric Vehicle Safety Systems Information Report, National Highway Traffic Safety Administration (NHTSA) Interim Guidance for Electric and Hybrid-Electric Vehicles Equipped with High-Voltage Batteries, specific vehicle manufacturers information, and any other current and applicable industry standard regulations, guidelines and best practices.

Mr. Hooper discussed the proposed revisions with Jon Growgley and both were in agreement; Bill Dytrych also later agreed with proposed revisions.

Mr. Kroger responded to public comments received by phone citing concerns of onsite operations and the following clarifications from applicant will be added to the existing project description:

- ***The facility is closed to the general public. Registered buyers must present themselves at the branch during preview hours, typically a 4-hour period on the day before the online auction. This occurs only one day a week and results in approximately 12 visitors. Those registered buyers are only given access to the sale pad, a specific area within the inventory yard that is populated with the vehicles to be auctioned the following day. The sale pad is immediately adjacent to the building. Registered buyers are NOT allowed to roam throughout the inventory area during preview hours. If a buyer violates this rule, they could permanently lose their buyer privileges.***
- ***Transportation of vehicles is the responsibility of the buyer. They must arrange with a tow truck operator to pick up their vehicle during normal business hours. Vehicles are retrieved by the towers in the load-out area.***
- ***All buyers make their own arrangements for vehicle transportation. If a buyer has a license to operate a tow truck, they can pick up their purchased vehicle.***
- ***During the limited preview hours on the day before an auction, registered buyers' access is restricted to the sale inventory area. They park in the employee/customer parking in front of the office building. The branch manager controls the number of individuals given access to the sale inventory area at any time during preview hours.***
- ***As discussed in the project description, fluids are generally gone by the time the vehicle reaches the facility. Registered buyers and their transporters bear responsibility for the safe and clean removal of vehicles from IAA property. Non-compliance could include permanent loss of privileges to transact business with IAA. Any inadvertent leak would be addressed as provided for in the BMP manual.***

Mr. Kroger stated an additional revision to conditions of approval to address additional traffic concerns and to improve the process of drilling the well:

28. **Public Water System (PWS).** The permittee shall secure and maintain a current Public Water System permit from the California State Division of Drinking Water once the number of customers, employees and visitors accessing the property reaches 25 people for 60 days out of the year. Copies of all California Water Board Division of Drinking Water permitting shall be provided to the Department prior to operation. ***Prior to drilling a new water well on the property, the facility shall provide written determination from the Division of Drinking Water of whether Public Water System well and permit are required.***

Mr. Kroger responded to written public comments received by Rick Bello Jr. citing concerns of the County's CEQA determination as exempt and potential groundwater contamination, stating that County Counsel concurs with the CEQA determination.

Mr. Hooper stated they have had two continuances to address concerns from neighboring parcel owners, Mr. Bello and Mr. Odom, and have worked extensively with them over the past two months and have agreed to additional conditions of approval relative to groundwater monitoring and reporting, as well as others.

Mr. Calder opened the public hearing.

1. Ken Odom stated he has worked extensively with the applicant to address concerns and restated concerns of off-street parking and onsite vehicle repair after visiting another (similar operation) applicant site. He would like more frequent inspections, baseline water testing prior to operation and future testing results be provided for review, and that no offsite parking be allowed.

Mr. Hooper stated they would agree to an additional condition that all parking be onsite; this project is different from other sites in that there is ample onsite parking. He also stated that this Use Permit will be subject to revocation should they be in noncompliance with the conditions of approval.

Mr. Kroger stated the oil separator is included in the revised resolution (stormwater management). Planning staff inspect every 5 years for renewal of a use permit.

Hazardous Materials Supervisor Chris Ambrose discussed the statewide Certified Unified Program Agencies (CUPA) program with inspections every 3 years. In addition, this site could qualify as a small quantity hazardous waste generator where regulations allow for annual site inspections, although they generally inspect (unannounced) every 3 years.

Mr. Kroger stated there are existing conditions requiring the water well to be tested prior to use and prohibiting offsite parking within 1000 feet of driveway entrance.

2. Richard Bello stated concern of cars being parked within the 100-year flood zone and discussed area flooding in the past year. He also discussed concerns of additional traffic on a common driveway and of the PG&E emergency staging area. He would prefer the project driveway be moved to the east end of their property.
3. Rick Bello Jr. discussed the estimated traffic count and asked for a baseline of current traffic, and if more than the estimated 70-80 count that there be an adjustment.

Mr. Hooper stated the County has a minimum threshold of 110 trips per day and their traffic count was calculated by a reputable firm with actuals of the area. He further noted a prior discussion with Mr. Bello and Mr. Odom regarding the issues with driveway relocation and stated they have made accommodations to improve Mr. Bello's entrance and incorporated more trees and shrubs to provide further sight and sound barrier.

Mr. Hooper discussed the new detention basin, addition of two oil separators to clean water prior to entering the detention basin and included maintenance of the oil separators. He further discussed how vehicles will arrive on a tow truck, be inspected for residual fluids on a paved surface, and are only removed from site via tow truck.

There was discussion of emergency/disaster event operations, hours of operation, and hours of public entry.

Regarding Mr. Bello's concern of groundwater contamination on his property, Mr. Calder stated that if there should be concerns of contamination from his test results, to bring them to the County by filing a Complaint.

Hearing no further public comments, Mr. Calder closed the public hearing.

Based on the staff report and testimony received, Mr. Calder took action to **Approve** the staff report subject to the revised conditions of approval. After expiration of a 10-day appeal period, should no appeal be filed, a permit will be issued to the applicant.

NEW BUSINESS

3. PUBLIC HEARING to consider Minor Use Permit application no. **MU-19-07** by Jerome Klima to establish a seasonal sales lot with sales of Christmas trees and pumpkins. roadside stand with sales of fresh fruit, vegetables, berries and prepacked dried fruits and year-round nursery with public sales located southeast of Highway 80 in the vicinity of Hiddenbrooke Parkway and adjacent to the City of Vallejo in the Exclusive Agriculture 20-acre minimum (A-20) zoning district, APN 0180-360-030. (Project Planner: Travis Kroger, 707-784-6765) **Staff Recommendation:** Approval

Action: The applicant, Jerome Klima, was present with civil engineer, Brian West. Mr. Klima stated he did not receive the staff report although Mr. West did receive/review and stated that issues have been resolved and they are in agreement with the conditions of approval.

Mr. Calder opened the public hearing. There were no speakers and the hearing closed.

Based on the staff report, Mr. Calder took action to **Approve** the staff report subject to the recommended conditions of approval. After expiration of a 10-day appeal period, should no appeal be filed, a permit will be issued to the applicant.

4. PUBLIC HEARING to consider Minor Subdivision application no. **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 Solano County, Northwest of the City of Vacaville, CA; APN 0102-090-140. (Project Planner: Nedzlene Ferrario, 707-784-6765) **Staff Recommendation:** Approval

Action: The applicants were not present. Project Planner Nedzlene Ferrario stated the applicants requested to withdraw the application from the agenda to further evaluate and discuss with County staff the cost of improvements for new roadways.

Since there were no further agenda items, Mr. Calder adjourned the Zoning Administrator meeting of September 7, 2023.