

MINUTES OF THE SOLANO COUNTY PLANNING COMMISSION

Meeting of August 15, 2013

The regular meeting of the Solano County Planning Commission was called to order at 7:00 p.m. in the Board of Supervisors' Chambers, Fairfield, California.

PRESENT: Commissioners Rhoads-Poston, Cayler, Walker, Tubbs and Chairman Boschee

EXCUSED: _____

STAFF PRESENT: Mike Yankovich, Planning Program Manager; Jim Laughlin, Deputy County Counsel; Eric Wilberg, Planning Technician, and Kristine Letterman, Planning Commission Clerk

Items from the floor:

There was no one from the public wishing to speak.

The Minutes of the regular meeting of August 1, 2013 were unanimously approved.

1. **PUBLIC HEARING** to consider Revocation of Minor Use Permit No. MU-13-01 and Appeal of the Zoning Administrator's approval of Minor Use Permit Application No. MU-13-01 of **Glashoff Farms** for a special event venue (18 events per year, up to 200 attendees per event) located at 5353 Williams Road, 2 miles northwest of the City of Fairfield in the "A-SV-20" Agriculture-Suisun Valley Zoning District, APN's: 0149-090-130, 160 and 170. The Planning Commission may (1) reverse the Zoning Administrator's approval and revoke the permit, (2) affirm the Zoning Administrator's approval and leave the permit in effect, or (3) modify the terms and conditions of the permit. The Planning Commission will also be considering adoption of a Draft Mitigated Negative Declaration of environmental impact for this project. (Project Planner: Eric Wilberg) The Planning Commission's decision on this item may be appealed to the Board of Supervisors within ten days. **Staff Recommendation:** Modify the terms and conditions of the permit.

Jim Laughlin, deputy county counsel, commented that a substantial amount of correspondence has been generated and provided to the commission with regard to this item. He voiced his concern about the way this information was provided, and spoke to several points to advise the commission on how they should proceed in this case and other cases as well. He stated that tonight's decision, and all other matters, must be based on the record before the commission, and nothing except that record. Mr. Laughlin explained in detail what constitutes the record. He noted that information acquired by any commissioner outside this hearing process needs to be shared with the entire commission during their discussion in order to be part of the record.

Jim Laughlin alerted the commission to a new legal development regarding the City of San Jose vs. Superior Court, noting that currently it is only a trial court decision and is on appeal. He explained what the trial court ruled was that emails and text messages on government official's personal accounts are subject to disclosure under the Public Records Act. If the county gets a

request to disclosure public records related to any matter that might come before the commission, and if a part of those records are on an individual commissioner's personal account, the county would have to search through those personal files. Mr. Laughlin stated that his advice to the commission is to make sure all communication they receive related to any item of business that might come before them is routed through county staff and not sent to them directly.

Commissioner Rhoads-Poston disclosed that she received numerous emails which she forwarded onto county staff. She responded to the email sender directing them to use her account that is specifically set up for planning commission related matters. Ms. Rhoads-Poston noted that she made a site visit out to the project site on two occasions. She also noted that she works with a relative of the Glashoff family.

Commissioner Walker stated that he also received numerous emails over the past two weeks. He also toured the area to check out Williams Road and the project site.

Commissioner Cayler stated that she too received numerous emails. She commented that she did not respond to the emails or forward them on to staff. She said that what she depended on was the information that came directly from staff.

Mike Yankovich gave a brief introduction with regard to the 2008 General Plan update and the relation of the Suisun Valley Strategic Plan. He spoke of the planning process and the community meetings that were held, noting that it was an extensive planning effort. He explained that the strategic plan implements the general plan. He said that consistency of special events should not be in question because it is about the specific conditions of approval and whether or not a use is appropriate in a specific location.

Jim Laughlin spoke regarding the county's appeal process for conditional use permits. He referenced the Tolling Agreement that was prepared for this project and provided some background on its preparation. He stated that normally he would have handled the appeal of the Zoning Administrator's decision except that he was out of the office for a week. He explained that in his absence, staff from his office stepped in and tried to accommodate the parties, which has caused some issues. Mr. Laughlin stated that the appeal rules the county has are not meant to be waived, but in this case the decision was made to waive some of those rules and allow certain parties to file a late appeal, and because of that it has created some problems. Mr. Laughlin stated that in hindsight he wished he would have killed this tolling agreement idea when he still had the opportunity to do so, but instead he let it go through and become final, and he took responsibility and apologized for the confusion it has caused.

Mr. Laughlin stated that this has put the county in an awkward situation where there is both an appeal and a revocation hearing. He explained that some of the neighbors filed an appeal and were given additional time to file the appeal, but to everyone else their appeal was the standard 10 day, and so the permit went into effect when no appeal was filed within that 10 day period. Mr. Laughlin stated that the two main issues are if a special events facility is appropriate for this property, and if so, what kind of conditions should be imposed on the facility. He noted that regardless of whether this is an appeal or revocation, the commission's decision needs to be based on substantial evidence. He also noted that whatever the outcome is after this public

hearing, there is the opportunity to appeal the Planning Commission's decision to the Board of Supervisors.

Eric Wilberg, project planner, provided an overview of staff's report which included the property setting, project description, summary of the Zoning Administrator's hearing, appeal summary, General Plan consistency and Environmental Review.

Bill Emlen, Resource Management Director, reviewed the revised project conditions, as well as several additional conditions that deal with establishing some parameters in terms of the number of events and a tiering of those events. He said the key point is a cap on the total number of events to 12. He said that there are also new stipulations on when amplified sound would need to be turned off, and allowing for a distinction between weekends and weekdays.

Since there were no questions of staff, Chairman Boschee opened the public hearing.

Charles Wood, attorney at law, spoke on behalf of the Glashoff family. He stated that one of the most important aspects to remember about this project is that it is located on agriculturally zoned land. He said that this is a working farm and in the county's code is an objective to be achieved for the protection of the family farm. He stated that according to the County's Zoning Regulations, General Plan, and the Suisun Valley Strategic Plan, this property is zoned for economic activity. The events the Glashoffs have held promote agritourism and bring people to the Suisun Valley, which is the intent, with the hope that people will see the beauty of the valley and return.

Mr. Wood spoke to the issue of traffic. He commented that as a practical matter, those attending an event would arrive in a 30 to 40 minute window, so a delay to those who reside on the road would be minimal. When people leave an event it would be more disperse and would not promote much traffic. Mr. Wood indicated that the real issue is noise. He said some of the events do not produce any off property noise and he did not believe there should be great regulation on those particular events. He noted that the zoning administrator decided that 65 decibels at the property line was the proper measure which is consistent with the county code. He stated again that this is agricultural land, not residential. Mr. Wood noted that the appellant's noise consultant did not actually measure any of the Glashoff events they only looked at similar events that may or may not have had a noise constraint.

Mr. Wood stated that if the commission feels the need to reduce the frequency of the events, he suggested that 8 or 10 events with off property noise would be appropriate. He commented that there was also some question about whether family events are regulated. He stated that the Glashoffs have agreed, if the county will give them the 8 or 10 events, that they will include family events if they produce off property noise. Mr. Wood asked the commission to uphold the Zoning Administrator's approval.

The permittee, Maria Glashoff, shared some photos of the property with the commission. She said that to help mitigate some of the concerns, they provide signage and flaggers on the road to help maintain traffic, and they apply a dust cover 1½ hours prior to an event. She stated that they have never had a party with over 200 guests and do not intend to, and she submitted to county staff catering bills and chair rental bills to prove the size of the parties. Mrs. Glashoff

stated that at one event there was a flood light that produced a glare down Williams Road. She stated that they did not authorize the light and it was eventually turned off. She said to remedy the lack of light, and for a safety precaution, they provide 4 to 7 people with flashlights at each event who walk guests to their cars. Mrs. Glashoff referred to their first event on June 29th when the neighborhood experienced a power outage. She said that it was an extremely hot evening and some of the neighbors complained because they had to keep their windows open or were sleeping outside and were concerned with noise. Mrs. Glashoff stated that they continually monitored the property with cellphone decibel monitors and that those records have been submitted to the county. She indicated that there was one reading that was over 65 decibels and they immediately remedied that. She referred to another event where they turned down the music at 10 p.m. but did not turn it off completely until 11 p.m., noting that this was a family event. She spoke to an event where they set up the DJ, measured the music at 65 decibels, and then visited two neighboring property owners and both neighbors did not have an issue with the sound. Mrs. Glashoff commented that law enforcement was called out on one occasion during the party while the music was playing and the officer did not see an issue with noise. She noted that no police report was made.

The permittee, Larry Glashoff, stated that their farm produces French prunes, walnuts, citrus, boysenberries, blackberries, raspberries, grapes, and they also raise a few head of cattle. He stated that they market all of their farm products at farmers markets in San Francisco, Sacramento, Davis and Marin County. He stated that an idea of creating an area for agritourism and events became a reasonable consideration for them soon after the adoption of the Solano County General Plan. He stated that the crafting of the general plan was resident driven with workshops and much collaboration with the public. There was significant agreement among the groups that agritourism would be critical to the future viability of agriculture in the valley. Participants requested that additional uses be allowed on lands designated for agriculture. With this intention, goals and policies were developed based on community vision for Suisun Valley. Mr. Glashoff stated that the Suisun Valley Strategic Plan states that Suisun Valley could provide a unique opportunity for the county to promote agritourism, specifically as a destination for visitors interested in local wine production, farm stands, and the rural atmosphere, while avoiding the traffic of nearby Napa and Sonoma. He said that policies in the general plan state that the agricultural economy is diverse and support of individual business rights is recognized. He stated that it goes on to say that the county will support farmers in their efforts and will strive to support programs and activities that will enhance their efforts. Mr. Glashoff pointed out that in the general plan table of desired uses in Suisun Valley it lists special event facilities such as weddings. Mr. Glashoff stated that based on these passages from the general plan it is very clear that their permit fills the intent of the policies and goals of the general plan with regards to allowed use of agricultural lands in Suisun Valley. He stated that this event venue has and will provide opportunities to existing and future farm businesses in Suisun Valley.

Chairman Boschee referred to the permit condition modifications made by staff and asked Mr. Glashoff if they were in agreement with these changes. Mr. Glashoff stated that they have collaborated with staff on this modification and are in agreement with those terms and conditions.

Andrea Leisy, Remy Moose Manly, 455 Capitol Mall, Suite 210, Sacramento, spoke on behalf of the appellants. She stated that for clarification, their appeal letter did not request a revocation of

this permit. She said they appealed the permit as timed under the Tolling Agreement and it was deemed timely in their opinion, and their interpretation is that the permit was deemed stayed during the interim period. She stated that this appeal is not about trying to prevent the Glashoff family from having family events or functions that are reasonably sized, but is about the large wedding parties with booming music playing really loud until very late at night with drunken people being very loud. She recognized that perhaps the events have gotten better as this process has but initially it was very bad and their client's concern is that it may revert back to that in the future.

Ms. Leisy referred to their letter dated August 13, 2013 with their recommendation of 12 additional conditions and 2 revisions to staff's original conditions, and was not sure why those conditions did not make it into the modified staff report as being acceptable. She said that their clients still remain extremely concerned about the number of events, the intensity of those events, and the enforceability of the noise standards. She spoke to the narrow one lane road, noting that this rural area is very different from the agricultural tourism center areas that are in the lower Suisun Valley. Ms. Leisy stated that special event facilities are not allowed in the A-SV-20 zoning district unless they are a winery. She noted that she did a global search of the Suisun Valley Strategic Plan and related Negative Declaration and analyzed the potentially significant impacts of that plan and there is no mention of large events like weddings. She said there are a lot of references to agritourism but they are not one in the same. In looking at the table in the zoning code for allowed uses in the A-SV-20 zone, it lists special events as a potential allowed use and refers to specific use regulations. The standard references special events and states that they may be permitted by a conditional use permit (CUP) as long as it is incidental to the principal agricultural use on the property, except as specified for small and medium wineries. She stated that she did not see how weddings are incidental to agriculture. She noted that in the code it states that agritourism does not include commercial amusement and entertainment uses such as dance halls, theatrical production, or musical entertainment. She said the intent of the strategic plan is to promote agriculture, not allow for large concerts or entertainment that disrupts the quiet nature of this area. So while the general plan table recognizes that special event facilities such as weddings may be allowed within the agricultural Suisun Valley region, elsewhere it states that a complete list of permitted and conditionally permitted uses will be incorporated in the updated zoning code. Under the zoning code, weddings are not allowed in the A-SV-20 zone with a minor use permit or otherwise, other events that are incidental to the principal agricultural use on the property may be allowed via a CUP.

Ms. Leisy stated that under the zoning code the planning commission should grant the appeal and deny the minor use permit entirely or the applicant may come back for a rezoning application or staff may clarify in the zoning code update process that weddings are intended to be a use in the A-SV-20 zone district.

With respect to noise, Ms. Leisy stated that the negative declaration prepared for this project did not reduce the amplified noise by 5 dBA which is required. She explained that while the noise consultant did not go out and actually measure during an actual event, he was not required to do so. He used the same types of noise that is used by DJs and weddings across Sonoma, Napa and this area to estimate in his opinion what the noise levels would be. He concluded that based on the thresholds of significance the 50 dBA average and 65 max during the daytime and

the 45 LEQ and 60 dBa thresholds during the nighttime, under CEQA is a significant impact requiring a preparation of an EIR. She said any time an agency has substantial evidence showing a fair argument of a potentially significant adverse impact an EIR is required.

Commissioner Tubbs noted that there has been conflicting statements between both attorneys with regard to weddings being allowed or not allowed in this zoning district and asked staff for clarification.

Jim Leland, principal planner, explained that special events are a listed use in the A-SV-20 zoning district and the type of permit would be listed in the specific land use regulations. He explained that a special event is defined as an event where a property owner has rented out their land to a third party for the conduct of a social gathering. He said that while weddings are not listed individually, the special event category includes weddings and always has and so it is definitely a permissible use within the district. Mr. Leland added for clarification that the type of permit that is required, normally the zoning code table indicates whether it is a minor use permit or use permit, and in this specific case for special events in the Suisun Valley district, the table refers to the specific land use regulation section and the permit described is a conditional use permit. It does not indicate whether it is a minor or major use permit. Within the use permit provisions of the code there are some parameters that dictate whether something is heard by the Zoning Administrator or Planning Commission. One of the parameters is a project for which a categorical exemption was granted. Mr. Leland stated that because this project started off with a categorical exemption it was deemed that it would be heard by the zoning administrator as the procedures under a use permit provides.

Chairman Boschee inquired if Ms. Leisy and her team have reviewed the modifications made by staff.

Ms. Leisy responded that their request was for the music to be turned off by 9 p.m. during weekends and 5 p.m. during weekdays. As to the number of amplified sound events, she would have to confer with her clients.

Chairman Boschee stated that he believes both parties having been working hard to try and find a common ground. He commented that 12 events from what was originally proposed is a significant reduction. At the same time he appreciates the concerns people have because it is a very quiet rural area.

Traci Estes, 5304 Williams Road, Fairfield, stated that this site lacks an adequate sound buffer. She stated that the conditions should be specific to scale back sound, frequency and size of events, and to only allow 1 event per calendar month with no more than 100 guests per event.

Chris Estes, 5304 Williams Road, Fairfield, stated that the noise creates a nuisance, but commented that if the HS4 sound table is adopted it would probably bring the sound to an acceptable level. He stated that the road should have much tighter restrictions with regard to traffic and that the county's number of 4 people to one car is unrealistic. He suggested adding landscaping to mitigate glare from parked cars. With regard to dust control, Mr. Estes stated that it would be most effective if it was timely to the event. He stated that the proposal needs to be fewer, smaller and quieter.

Commissioner Rhoads-Poston inquired about the dust mitigation and asked Mr. Estes what his suggestion of more timely would be. He stated that it should be within 1 hour of the start of the event.

Commissioner Walker asked for clarification with regard to the parking standard. Mr. Leland responded that the parking standard for public assembly uses in the county code is currently one car per 4 attendees, which is the standard the applicant used to design their parking lot. He noted that there is a proposed set of regulations for the exclusive agricultural zoning district that may come to the commission in the near future that talks about using 2½ persons per car instead of 4, but that would only be for the exclusive agricultural zone district.

Commissioner Walker wanted to know what the inspiration is for the change in just the exclusive agricultural district, with an exclusion of the other ag districts. Mr. Leland explained that staff meets periodically with the Farm Bureau and Ag Advisory Committee to talk about the exclusive ag district as to how it is working and how it can be improved. He said these are changes that came forward from those stakeholder groups when there was discussion about opening up that district to more events, and it was a standard that they thought was appropriate out in the areas where they live and where that zoning is applied.

Mr. Yankovich added that what staff is in the process of doing is updating the code for different sections of the county and the thought is that eventually everything would be under the same standards, but right now are trying bring the exclusive ag up to date and then follow with Suisun Valley where needed.

In response to Commissioner Tubbs, Mr. Estes stated that Williams Road already experiences 4 large day events in addition to these, so if more residents were to apply for this type of a use it would create a major problem. He also responded that farming activities on Williams Road are in close proximity to the road so with a large event taking place, a farmer would have to adjust their time around the events.

Commissioner Rhoads-Poston wanted to know if when the Blue Victorian was established if staff received a lot of input with regard to traffic and noise. Mr. Yankovich stated that staff did not receive this type of response. Ms. Rhoads-Poston asked if there has been any sound testing of the crop dusting in the area.

Mr. Yankovich stated that the county has not done any noise monitoring with regard to farming. He stated that The Right to Farm Ordinance prevails in that area and so farmers can operate their equipment when needed.

Commissioner Rhoads-Poston pointed out that all of the noise that is going on in that area is not just from the Glashoff property.

Linda Tenbrink, 5260 Gordon Valley Road, Suisun Valley, stated that her family has been farming in the valley for many years and this weekend she will be hosting the 22nd Annual Tomato Festival. Ms. Tenbrink stated that in looking at the big picture, Suisun Valley will not continue to exist in farming without the tourism. She stated that her family are highly specialized farmers and need to sell their crops directly to the public which means they need customers in

the valley. Ms. Tenbrink noted that they have direct ties of increased customers from Glashoff events and need those customers to keep their farm economically viable. Ms. Tenbrink stated that she believed that this permit fits all the elements of the Suisun Valley plan.

Warren Sheldon, 5336 Suisun Valley Road, Suisun Valley, stated that he shares a common property line with the Glashoff property. He stated that noise is a real issue. He commented that many of the people in attendance at the meeting are not subjected to the noise because they do not live in the immediate area.

Bruce Dorrough, 5225 Williams Road, Fairfield, stated that the noise directly impacts him. He stated that his residence sits between the Glashoff property and Blue Victorian Winery and so he gets a stereophonic effect. He stated that the natural geographic location of the valley creates an amphitheater. Mr. Dorrough spoke to agritourism, adding that he believed this would be something that is enjoyed during the daytime where the Glashoff events happen late in the evening.

Tami Leutholtz, 5225 Williams Road, Fairfield, stated that she lives approximately ½ mile away from the Glashoff property and can sit in her living room and clearly hear the music and announcements being made. Ms. Leutholtz stated that she understands what the Glashoffs are trying to do, but she did not believe their neighborhood should be subjected to this.

Laura Seidelman, 5400 Williams Road, Fairfield, stated that she is a strong supporter of individual rights, but not when it affects neighbors so strongly which she believed a huge amount of these events would do. She did mention that the proposed revisions seemed to be more reasonable. Ms. Seidelman commented that she did not agree with the comparisons being made to the Blue Victorian because it is a different site.

Christopher Livadas, 400 California Street, Suisun, spoke on behalf of Vezer Family Vineyards stating that the Vezer family supports the Glashoff project. He said this project provides extra exposure for the valley and will help stimulate economic activity. Mr. Livadas stated that for a property owner trying to turn a dollar the exposure is necessary.

Commissioner Rhoads-Poston asked Mr. Livadas if he was aware of how many weddings or special events the Blue Victorian has hosted since it has been renting out its facility. Mr. Livadas stated that he did not know that information but commented that approximately 13 events were held this year.

Reta Jones, 5117 Suisun Valley Road, Fairfield, stated that she lives immediately adjacent to the Blue Victorian. She said that events are constantly taking place and the lights and noise levels are high. She said the noise from the Blue Victorian is much louder than from the Glashoff events. Ms. Jones stated that her and her husband drive down Williams Road every time the Glashoffs have an event and none of the issues exist that have been complained about. She stated that the Glashoff family has done so much to please everyone and they deserve to be treated as fairly by their neighbors.

Sharon Jones, 5226 Williams Road, Fairfield, said that they live in a nice community with several families of multiple generations. She did not feel that outsiders should be able to dictate

how they live and what they should be able to do on their own properties. She stated that it is very difficult to live off the land and landowners should be able to use their property to make ends meet. Ms. Jones stated that she has not heard the noise from the events and has to walk down to the end of her driveway to hear the music. She said the lighting is minimal and is shut off long before curfew. She said the guests have always been polite and courteous drivers. Ms. Jones noted that she has gone out and measured Williams Road in several locations and found it to be 15 feet at address 5264, 17 feet at address 5177, and 16 ½ at the marker on the curve, and so she questioned the measurement of 14 feet as stated in the staff report.

Commissioner Tubbs commented that driving on Williams Road is difficult for two-way traffic and there are definitely single lane one car only spots on the road.

Mike Jones, 5226 Williams Road, Fairfield, stated that the Glashoffs are an honest hard working family trying to make an honest living. He said that he has read all of the complaints and could not believe the inaccurate and false statements that have been made. He said that he did not see any safety issues on Williams Road except for the local residents themselves. He commented that he has never had a problem passing other vehicles on the road. Mr. Jones noted that he also has measured the road in several places including the curve and it is more than wide enough for one vehicle to safely pass another. He measured it to be 16-17 feet in the curve and 15-18 feet along the rest of the road, nowhere did he find it to be 14 feet except for a portion well past the Glashoff property near the end of the road. Mr. Jones noted that farmers spray early in the morning when it is cool and calm not in the afternoon. He said that he has witnessed many of the Glashoff events and can hear them, but not to the point of being intrusive or disruptive.

Jeff Ramirez, 1515 East Tabor Avenue, Fairfield, stated that the sound study that was done was done by someone who has never been to the site or measured the noise during an event but yet says the noise is too loud. He commented that the neighbors are not being reasonable by wanting to eliminate family events and some of the demands being made are unrealistic. He said the Glashoffs are a large family and have held family events for many years. He said that Maria and Larry have already made several concessions to accommodate neighbor concerns and if more concessions are made the project will not be viable.

Kate Novotny, 5404 Williams Road, Fairfield, stated that these events disrupt their use and enjoyment of their property. They suffer through the noise nuisance of event set up, PA testing, toasts, DJ chatter, and dance music followed by drunken hollering. Ms. Novotny stated that they are already impacted by another neighbor's large events on two weekends a year. She stated that the sculpture ranch which is also on Williams Road has a public benefit and draws people to trickle in and out in a state of mind to explore and to spend. She said that large rowdy DJ weddings as the Glashoff venue often hosts, in her view offer little such benefit while imposing significant public safety risks, adverse environmental impacts and overall deterioration of the neighborhood. Ms. Novotny stated that no one is against farming noise, or farm stands, agribusiness or agritourism as defined in the general plan. She stated that no one is against being creative with earning an income from their family land. She said no one is against a minor use permit as long as it is contained proportionally to its impact. She stated that anything approved on Williams Road needs to be scaled way back from what would be allowed in the lower valley.

Doug Novotny, 5404 Williams Road, Fairfield, stated that he supports the general plan and agriculture. He stated that they have active grape and prune crops on their property. Mr. Novotny stated that the permitted events that are occurring at another site are occasional; 2 weekends a year and are daytime events that end by 5 p.m. He stated that anything approved tonight would be over and above that and would create a cumulative effect, and so frequent, large, loud nighttime parties would be very impactful. Mr. Novotny noted that not all events have been impactful but many have. He stated that inside their home the noise competes with their television. He referred to the road and stated that it is very narrow and when there is intense traffic passing can be challenging especially at night when people are leaving in the dark, do not know the road, and have probably been drinking. He said the spinning disco lights do leave property lines just like the noise does. Mr. Novotny stated that the lower valley is approximately 2½ miles wide and the upper valley around Williams Road is approximately 1,500 feet wide. He believed that the project should be proportional and that the density of homes should also be taken into consideration.

Commissioner Cayler inquired about Mr. Novotny's measurement of the road. Mr. Novotny stated that the 14 foot width was measured from the blind curve. Ms. Cayler also inquired as to the number of Glashoff events that he believed to be noisy. Mr. Novotny stated that at least 3 or 4 this year have been very loud and all of the events from last year were. He did note that on an average it has been less loud this year.

Brad Rowland, 5177 Williams Road, Fairfield, stated that his main concern is with the large size of events. He said he would be happy with 8 events with 100 attendees or less. Mr. Rowland stated that he lives right next to the curve and has to put up cones because cars do encroach onto his property.

Matt Rowland, 5177 Williams Road, Fairfield, stated that since the events started last year there has been an increase in traffic on some Saturday nights. He stated that he has had several close calls when turning left into his driveway. The nights when there are no weddings the road is quiet with minimal traffic. Mr. Rowland stated that he and his dad have sat up on their hill which is approximately 2/3 mile from the Glashoff event site in the evening and were amazed how clear the music and conversations were. He commented that the sound intensifies and recedes every few minutes. Mr. Rowland said that he feels the Glashoff family should be able to have these events but hoped they could find a way to lower the music so that it does not amplify throughout the valley.

David Hicks, 5272 Williams Road, Fairfield, stated that they hear the noise all of the time because the area is similar to that of an amphitheater. He commented that the road is very narrow and has a blind curve. He said the Blue Victorian is located in a much wider area so someone who lives near it is not going to hear the noise as much.

Christopher Pray, 5337 Suisun Valley Road, Fairfield, stated that his main concern is sound. He said the sound is loud and compared it to having a disco in his home. He did note that the Glashoff family has tried to solve the problem. To add to the evidence that sound does travel in the valley, he referred to a past incident where the Glashoffs called him to ask him to quiet his barking dog. Mr. Pray stated that he is worried about Solano County turning into Napa or

Sonoma due to increased traffic and activity. He said that it is important for the commission to consider the future of the county.

Kendall Hillman, 1 Harbor Center, Suite 220, Suisun, spoke on behalf of Warren and Carolyn Sheldon and has also been working with the Friends of Williams Road. He said that what is important to remember is this is largely about scope and scale and location. He said the general plan has a table and chart that speaks to special events such as weddings as a use in an agricultural zone, but it is not talking about this specific property or Williams Road. He said the general plan discusses how the primary goal is first the preservation of agriculture, to maintain the agricultural character of the valley and the importance that zoning be appropriate for the prevention of incompatible uses and providing infrastructure to support those proposed uses. Mr. Hillman stated that Williams Road is described in the staff document as the entry being a blind curve and as being a road that has substandard geometry. He commented that the parking regulations do not dictate how many people come and go from an event, but dictate how many parking spaces are required. He said the expectation there would be 50 cars for a 200 person event is not realistic, noting that in addition there would also be caterers and support staff going to the site. He said that arrival might take place over a 30 minute period but departure could very well be over a two hour period, at night, with possible drinking going on, which is a safety issue.

Mr. Hillman commented that measuring sound with cell phone monitors are inherently bad measuring tools and have been widely criticized. He indicated that the appellants have asked in their proposal that professional sound measuring equipment be used to determine whether sound has escaped at unacceptable levels. Mr. Hillman stated that agritourism is an important element to the valley and questioned whether a wedding event, reunion, or anniversary is agritourism. He stated that one of the things that have been ignored in the discussion about the definitions of special events in this particular zone is that they have to be incidental to the principal agricultural use on the property. He said incidental is defined as something that is likely to happen or is unplanned or subordinate to and stated that this activity does not fit that definition.

Mr. Hillman spoke to the issue of safety and access of Williams Road. The parking requirement for a special event in a zone like this requires access lanes and roads are unobstructed to 20 feet in width. He said Williams Road does not even meet the requirements of the parking area. He said that agritourism makes sense in Suisun Valley and it would benefit everybody but large parties in a small part of the valley and the amphitheater like conditions is probably not the right place. Mr. Hillman commented that if it is found to be appropriate to locate some special events here, it should be scaled to the area in which it is being located.

David Marianno, 3915 Denver Road, Suisun, stated that he resides near Travis AFB and it is quite noisy. He commented that the bugles wake him up every morning and he tolerates it because he was aware of it when he moved in. Mr. Marianno said the county needs to look at the big picture and what is needed is to preserve agriculture. Mr. Marianno commented that he lived in Green Valley for 20 years and that sound does travel when living amongst the hills. He hoped that a solution could be worked out especially for the Glashoff family who has worked so hard for so many years to preserve the valley and agriculture.

Greg Thoming, P. O. Box 9004, Berkeley, stated that his family has owned property in Solano County since the 1950s and he grew up on a small walnut farm at the end of Green Valley Road. He noted that he attended his nephew's wedding and reception at the Glashoff property. He said the organizers of the event did an excellent job of quickly and efficiently bringing vehicles off Williams Road. He did not witness any dust dispersing as a result of the vehicles coming and going. He said the wedding and reception was very orderly and no one was out of line. Mr. Thoming stated that the volume was quite reasonable, and given the large size of the property and the location of the event, he could not imagine that it severely impacted neighbors. He commented that the rehearsal dinner was held at a local winery, people came from all over the country for the wedding and they ate in local restaurants, visited local wineries and stayed in local hotels. He said that establishments such as Glashoff and other Suisun Valley agribusinesses provide many people with a wonderful place to visit.

Frank Gonzalez-Mena, 5348 Suisun Valley Road, Fairfield, stated that they are the closest neighbor to the Glashoff family and reside approximately 720 feet from the venue. He said that they do not notice any extreme noise and they were not even aware that some weddings took place. He stated that he is in favor of the proposal because it fits within the general plan.

John Crossley, 2525 Mankas Corner Road, Fairfield, owns and operates John's Hauling and Suisun Valley Antiques and Collectibles at Mankas Corner. He said that having more people come into the valley is a good thing. Mr. Crossley supported the general plan. He commented that he has driven down Williams Road when events were taking place and different residents were having yard sales. He said the exposure is good and that neighbors need to help each other. Mr. Crossley suggested the idea of shuttles to be used for events to help remedy the traffic situation.

Randy Bains, 5076 Suisun Valley Road, Fairfield, stated that he lives directly across the street from the Blue Victorian Winery. He stated that there are always concerts and events taking place and it does not bother him. He felt what the Glashoffs are doing is beneficial and did not find 12 events to be unreasonable. Mr. Bains stated that he and his wife walk down Williams Road when events are taking place and have not witnessed any noise.

Since there were no further speakers, Chairman Boschee closed the public hearing.

Ms. Leisy stated that she has not had the opportunity to review the recommended changes to the project conditions with her clients and asked for a brief recess.

Commissioner Tubbs commented that everyone has different sensitivities and it is important to respect each other's sensitivities. He stated that from his own personal experience he knows that neighbor problems can get ugly and bitter and can destroy a neighborhood. He encouraged the parties involved to try to come to a compromise, noting that nobody is going to get everything they want.

Commissioner Cayler pointed out that her understanding is that the Glashoff family have already agreed to a compromise which were the changes recommended by staff.

Chairman Boschee called for a 10 minute break.

Chairman Boschee called the meeting back to order at 10:12 p.m.

Ms. Leisy stated that the noise threshold issues are really crucial and asked if staff and the Glashoffs were willing to rely on Table HS4 out of the General Plan and agree to the professional noise monitoring equipment with the results to be made available to neighbors if requested. As to the number of events and intensity, the residents would be willing to agree to 6 amplified events and 4 non-amplified events with 3 events of 150 people maximum; 4 events of 100 people or less; and 3 events of 75 people or less. She stated that the noise standards in Table HS4 of the General Plan for the daytime thresholds are 65 dba maximum and 50 LEQ, and the nighttime hours at 60 dba maximum and 45 LEQ.

After a second brief recess, Ms. Leisy and Mr. Wood stated that unfortunately the two parties were not able to come to an agreement on the maximum number of attendees.

Chairman Boschee voiced his appreciation with the public participation on this matter and hoped that in the long term something will be resolved. He stated that his concern is with the two main issues which are sound and the road conditions. He said that sound is a difficult issue because some people hear it and some people do not, and sound travels at different times depending on the environmental situation. He commented that there are different types of sound and each person hears it differently. Mr. Boschee noted that he has had some personal experiences with sound issues and understands that it is a very difficult matter to resolve. Mr. Boschee stated that currently there are no official commercial type sound readings that were done at the property and so it is not known what the decibel levels have been.

Chairman Boschee commented that he has driven on Williams Road and traveling around the curve is a little scary and dangerous. He was concerned that there will be a number of people who are not familiar with the road and that there should be something done to reduce the risk at that particular point in the road. Mr. Boschee stated that he felt a full blown environmental study needs to be done with regard to road and sound issues. He felt that if the commission approves the proposed negative declaration the county could be at risk, and so he could not support the document and therefore could not approve the continuation of the use permit.

Commissioner Rhoads-Poston also thanked the community for taking part in this process. She stated that people have different interpretations and with agritourism she sees the Glashoffs trying to accomplish exactly what is outlined in the Suisun Valley Strategic Plan. She said that it is true that the valley is not designated in the plan by Upper or Lower Valley. She said the time to have defined that would have been during the strategic plan process. She had hoped that the community took the opportunity to participate in that process. With regard to noise, she stated that one's perception is their reality and so there will not always be agreement. She stated that no one is going to walk away really happy and there will need to be some compromises. Commissioner Rhoads-Poston stated that one thing she wanted to make sure is not included in the conditions is a limitation on the family events that are allowed.

Commissioner Walker thanked everyone as well for attending the meeting tonight. He stated that he is pro economic development and understands in the Suisun Valley according to the

strategic plan what that looks like. He said the commission needs to look at these types of uses very specifically and how they affect each individual parcel. He stated that Williams Road is narrow and he had concerns about the county's liability should something happen on that road. He commented that it was daytime when he visited the area and he could hear lots of different sounds. He said that it is very pretty and peaceful and calm and he could imagine how different that might be when adding a significantly larger population to the area for a small period of time. Mr. Walker stated that he would not be ready to make a motion because of his concerns with the roadway and noise issues.

Commissioner Cayler thanked the audience for their interest and input in this process. She also echoed Commissioner Rhoads-Poston's comments with regard to the hope that those in the community also participated in the original planning for the general plan to know the length of time it took to establish the plan and the follow up strategic plan for Suisun Valley. She understood that noise is a real issue. She commented that she lives in the vicinity of the Dixon Mayfair and can hear the activities when they take place. She said that she has also experienced loud music from neighbors, but commented that that's life in a neighborhood. She stated that she drove out to site for the first time and ended up eating at a local restaurant. She stated that from personal experience when she and her husband have attended weddings or special events in a place they were unfamiliar, they were likely to go back to explore the area. Ms. Cayler stated that this project will bring tourists to the area and will benefit to all of Suisun Valley, as well as Solano County.

Commissioner Tubbs thanked the members of the audience for attending the meeting. He stated that in order for the applicants to meet some of the requirements that the neighbors are requesting it will involve some cost. He stated that there are sound engineers that could develop sound mitigating devices which could do a lot to prevent some of the amphitheater like sounds, but in order to do that the Glashoffs are going to need to be able make the income on their events to be able to meet those needs. He suggested that the neighbors try to work together and to respect each other in order to work this out.

A motion was made by Commissioner Rhoads-Poston and seconded by Commissioner Cayler to adopt the Mitigated Negative Declaration for Minor Use Permit No. MU-13-01. The motion passed 3-2 with Commissioners Walker and Boschee dissenting. (Resolution No. 4598)

A motion was made by Commissioner Rhoads-Poston and seconded by Commissioner Cayler to approve Minor Use Permit No. MU-13-01 subject to the recommended conditions of approval including the proposed modifications presented in the supplemental staff report, with an additional condition that the applicant use professional sound equipment monitors; and to clarify that the permit covers only paid events, not private family events; and that a traffic flagger will be provided by the applicant prior to and after each event. The motion passed 3-2 with Commissioners Walker and Boschee dissenting. (Resolution No. 4599)

Commissioner Tubbs stated that with respect to CEQA regarding traffic and noise, he would like to make a motion to change the time period of the permit to one year rather than 5 years to allow for these remaining issues to be resolved before next year's event season.

Mr. Laughlin stated that since the commission has already voted to approve the project, Commissioner Tubbs would first have to make a motion to reconsider the previous motion.

A motion was made by Commissioner Tubbs and seconded by Commissioner Walker to reconsider the previous motion made by Commissioner Rhoads-Poston approving the project. The motion failed 2-3 with Commissioners Rhoads-Poston, Cayler and Boschee dissenting.

2. **ANNOUNCEMENTS and REPORTS**

There were no announcements or reports.

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