MINUTES OF THE SOLANO COUNTY PLANNING COMMISSION

Meeting of June 18, 2009

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 Mahoney, McAndrew, Barton, Boschee and

Chairman Barnes

EXCUSED:

STAFF PRESENT: Mike Yankovich, Planning Program Manager; Jim Laughlin, Deputy

County Counsel; Karen Avery, Senior Planner; and Kristine

Letterman, Planning Commission Clerk

Items from the floor - none

The Minutes of the regular meeting of May 21, 2009 were approved as prepared.

1. **PUBLIC HEARING** to consider compliance review for a time extension to U-95-03 (mr5) of **Seventh Day Adventist Church** for a rural resident enterprise to use an existing modular facility as a radio station located at 4740 Allendale Road in an "RR-2.5" Rural Residential Zoning District, 3 miles north of the City of Vacaville, APN: 0106-290-450. This project is determined to be categorically exempt from the provisions of the California Environmental Quality Act. (Project Planner: Karen Avery) **Staff Recommendation:** Approval

Karen Avery gave a brief review of the written staff report detailing the background of the use permit and the subsequent revisions. She stated that last year, the Planning Commission requested an additional one-year compliance review of this use permit. A previous one-year compliance review was completed in January 2008. Ms. Avery indicated that staff conducted a site visit on May 22, 2009 and found the radio broadcasting studio being operated on an emergency basis only and by one employee. The permittee has a valid Solano County business license and is operating in accordance with the provisions of a rural resident enterprise. The radio station has received a Federal Communications Commission License which is valid thru 2013. No antennas associated with the radio station have been installed at this time.

Ms. Avery noted that no complaints have been received by either the Solano County Environmental Health Division or the Code Compliance Division regarding the church, modular unit, radio station or other church activities since the previous use permit was issued.

Chairman Barnes brought up the question of this being a commercial use since it is located on 2½ acres in a rural residential area, operating 24-hours a day 7 days a week. Ms. Avery stated that the radio station is only operating on an emergency basis. She said the permit was originally approved for the hours of 7 a.m. to 10 p.m. She stated that the church may

broadcast a recorded statement throughout a 24-hour time period, but the station is only manned from the hours of 7a.m. to 10 p.m.

Chairman Barnes inquired about past litigation with regard to the project. Jim Laughlin stated that the litigation was dismissed some time ago.

Commissioner Barton referred to the conditions of approval requiring improvements to Allendale Road, and wanted to know when these improvements will be implemented. Ms. Avery explained that those conditions have been previously met at the time of the original use permit approval. She noted that the conditions in the staff report were just carried over from the original use permit. Ms. Avery stated that there were no comments received with regard to this compliance review by the Public Works Division.

The applicant, Robert Michaels, 130 Portsmouth Avenue, Vacaville, appeared before the commission. He stated that there is an employee at the radio station 24-hours a day, but that the station only operates from 7 a.m. to 10 p.m. He said that the broadcasting covers such topics as general health and religious education. He noted that he is not aware of any recent neighborhood complaints. He said that they did have some complaints in the past about lights, and that the lights are turned off at 10:00 p.m. Mr. Michaels stated that there is not much traffic in the area. He noted that at the time of the original use permit they installed a left turn lane.

Chairman Barnes opened the public hearing. Since there were no speakers either for or against this matter, the public hearing was closed.

A motion was made by Commissioner Mahoney and seconded by Commissioner McAndrew to approve the time extension for Use Permit No. U-95-03 mr5. The motion passed unanimously. (Resolution No. 4521)

2. ANNOUNCEMENTS and REPORTS

There were no announcements or reports.

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