Solano County

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



Agenda - Final

Thursday, November 1, 2018

7:00 PM

Board of Supervisors Chambers

Planning Commission

Any person wishing to address any item listed on the Agenda may do so by submitting a Speaker Card to the Clerk before the Commission considers the specific item. Cards are available at the entrance to the meeting chambers. Please limit your comments to five (5) minutes. For items not listed on the Agenda, please see "Items From the Public".

All actions of the Solano County Planning Commission can be appealed to the Board of Supervisors in writing within 10 days of the decision to be appealed. The fee for appeal is \$150.

Any person wishing to review the application(s) and accompanying information may do so at the Solano County Department of Resource Management, Planning Division, 675 Texas Street, Suite 5500, Fairfield, CA. Non-confidential materials related to an item on this Agenda submitted to the Commission after distribution of the agenda packet are available for public inspection during normal business hours and on our website at www.solanocounty.com under Departments, Resource Management, Boards and Commissions.

The County of Solano does not discriminate against persons with disabilities and is an accessible facility. If you wish to attend this meeting and you will require assistance in order to participate, please contact Kristine Sowards, Department of Resource Management at (707) 784-6765 at least 24 hours in advance of the event to make reasonable arrangements to ensure accessibility to this meeting.

AGENDA

CALL TO ORDER

SALUTE TO THE FLAG

ROLL CALL

APPROVAL OF AGENDA

APPROVAL OF THE MINUTES

PC 18-048 October 4, 2018 PC minutes

Attachments: draft minutes

ITEMS FROM THE PUBLIC:

This is your opportunity to address the Commission on a matter not heard on the Agenda, but it must be within the subject matter jurisdiction of the Commission. Please submit a Speaker Card before the first speaker is called and limit your comments to five minutes. Items from the public will be taken under consideration without discussion by

the Commission and may be referred to staff.

REGULAR CALENDAR

1 PC 18-046

Continued public hearing to consider Rezoning Petition No. Z-17-04 and Minor Subdivision Application MS-17-06 of Hubert & Aurelia Goudie and William & Sylvia Marshalonis to rezone 15.69 acres from Rural Residential "RR-2.5" and Exclusive Agriculture "A-20" to Rural Residential "RR-5"; and subdivide two existing parcels into three lots. The property is located at 4420 Peaceful Glen Road, 2.5 miles north of the City of Vacaville, APN's: 0105-060-390 and 40. (Project Planner: Eric Wilberg) Staff Recommendation: Approve the minor subdivision application and recommend rezoning approval to the Board of Supervisors

<u>Attachments:</u> A - Draft Resolution

B - Vicinity Map

<u>C - Tentative Parcel Map</u> <u>D - Rezoning Exhibit</u>

E - Assessors Parcel Map

ANNOUNCEMENTS AND REPORTS

ADJOURN

To the Planning Commission meeting of November 15, 2018 at 7:00 P.M., Board Chambers, 675 Texas Street, Fairfield, CA



Solano County

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

Agenda Submittal

Agenda #: Status: PC Minutes

Type: PC-Document Department: Planning Commission

File #: PC 18-048 Contact: Kristine Sowards, 784.6765

Agenda date: 11/1/2018 Final action:

Title: October 4, 2018 PC minutes

Governing body: Planning Commission

District:

Attachments: <u>draft minutes</u>

Date Ver. Action By Action Result

MINUTES OF THE SOLANO COUNTY PLANNING COMMISSION

Meeting of October 4, 2018

The regular meeting of the Solano County Planning Commission was held in the Solano County Administration Center, Board of Supervisors' Chambers (1st floor), 675 Texas Street, Fairfield, California.

PRESENT: Commissioners Rhoads-Poston, Walker, Hollingsworth,

Bauer, and Chairperson Cayler

EXCUSED: None

STAFF PRESENT: Mike Yankovich, Planning Program Manager and Kristine

Sowards, Planning Commission Clerk

Chairperson Cayler called the meeting to order at 7:00 p.m. with a salute to the flag. Roll call was taken and a quorum was present.

Approval of the Agenda

The Agenda was approved with no additions or deletions.

Approval of the Minutes

The minutes of the regular meetings of September 6, and September 20, 2018 were approved as prepared.

Items from the Public

There was no one from the public wishing to speak.

Regular Calendar

Item No. 1 -

PUBLIC HEARING to consider Rezoning Petition No. Z-17-04 and Minor Subdivision Application No. MS-17-06 of **Hubert and Aurelia Goudie et.al** to rezone 15.69 acres from Rural Residential "RR-2.5" and Exclusive Agriculture "A-20" to Rural Residential "RR-5"; and subdivide three existing parcels into four lots. The property is located at 4420 Peaceful Glen Road, 2.5 miles north of the City of Vacaville, within the Exclusive Agriculture "A-20" and the Rural Residential "RR-2.5" Zoning Districts, APN's: 0105-060-240, 39, and 40. The project qualifies for an Exemption from the California Environmental Quality Act pursuant to the CEQA Guidelines. (Project Planner: Eric Wilberg)

Eric Wilberg provided an overview of the staff report. The project's objective is to subdivide two existing parcels into three lots. The intent is to isolate residential development on the northwest side of Sweeny Creek, generally the dividing line between the Rural Residential and

the Agricultural zoned areas of the property. The property currently functions with two single family dwellings and associated residential accessory structures on the northwest side of Sweeny Creek and agricultural production taking place on the southeast side of the creek. The subdivision would essentially create a second rural residential lot on the northwest side of the creek. Staff distributed an additional map to the commission that depicted the holdings of the Goudie and Marshalonis families. Mr. Wilberg noted that the land highlighted in blue are the properties within the project area, in yellow are properties also owned by the family that are outside the project area, and the white areas are proposed access to the lots.

Commissioner Hollingsworth inquired about the loss of agricultural land. Mr. Wilberg explained that the acreage proposed to be rezoned to rural residential is not currently in productive agriculture. It is being used for residential purposes and has been for some time. He noted that this proposed action would basically reflect the present ground conditions.

Since there were no further questions, Chairperson Cayler opened the public hearing.

Dan Figueroa, Master Planner from Community Planning Services, Dixon, spoke on behalf of the property owners. He stated that they have had several opportunities to meet with county staff to discuss the conditions, and to put them into a proper format to meet county zoning standards. Mr. Figueroa wanted to make a clarification regarding Condition No. 4. He said the condition talks about compliance with county health department standards and the condition, as written, is broad and could be interpreted differently depending upon who would be enforcing the code. He stated that they agree with the content in the memo that was authored by the Solano County Environmental Health Division dated September 4, 2018 as their understanding of Condition No. 4 and asked that the memo be incorporated into the record by reference.

Mr. Figueroa stated that they do have a concern with Condition No. 8 that addresses constructing private roadways to county road standards. He said they have no objection to the county roadways being planned for Parcels 1 and 3 because those are the residential parcels that currently exist. Mr. Figueroa handed out a photo to the commission which was a replica of the photo staff provided in their presentation. He noted that his photo was accentuated slightly because it affects the improvement requirement for the driveway coming from Timm Road through the parcel marked on his map as Lands of Goudie. He stated that in the application review process staff brought up the opinion that Parcel 2 did not have a clear access. Mr. Figueroa pointed out that Parcel 2 is the piece of property that is dry farmed and will continue to be dry farmed for the foreseeable future. He referred to the darker line depicted in the exhibit showing the existing access. Mr. Figueroa stated that the family lives on the property and will continue to live on the property. The road is the intended and historical route for farm implements traveling to Parcel 2, and the family uses it for their tractor and occasionally for hay trucks to unload during the spring and summer months.

Mr. Figueroa stated that the roadway has been in existence for many years and has been designated as an access easement to Timm Road, which meets the legal requirement for providing an official dedicated easement for Parcel 2. Mr. Figueroa stated that the difficultly is that Condition 8 calls for the development of that road to county road standards. He commented that it may sound a bit innocuous on its surface, but when examined, the standard

itself is a \$43,000 improvement. He noted that there is nothing else that would be taking place on the property and the family can certainly continue to farm the property using the existing access that has been used for many years. Mr. Figueroa stated that the applicants believe the county requirement to be excessive. He said the road would not get the kind of use it would need to maintain its integrity. Mr. Figueroa stated that they have no objection to the requirement of a 60-foot wide access easement but asked if Condition No. 8 could be changed to exempt the improvement of the driveway at this time. He reiterated that it is not in the family's foresight to develop the property. He commented that the applicant would not be opposed to a condition requiring the development of the road, if in fact there were to be improvements to Parcel 2 in the future, to warrant such improvements.

Mr. Wilberg explained that Condition No. 8 is a Public Works condition which is comprised of two parts; a 60-foot easement that affords access to the property, and construction of the physical improvements of the 12-foot wide private road with 4-foot shoulders. He noted that staff has met with the applicant several times to discuss this matter, but Public Works felt it should be on the onus of the subdivider to make those improvements. If the improvements are not made and, in the future, the ag parcel were sold, the onus would then be put upon the new property owner who is unknowing of those potentially costly improvements.

Commissioner Rhoads-Poston asked if there is language that could be included in the real estate disclosure statement in the event the property was put on the market.

Mr. Yankovich stated that the county would not know exactly when the property is sold. Currently there is an opportunity to have this land dedicated, as well as improved, and Public Works felt this is the best way to accomplish that. Mr. Yankovich commented that this is a written standard in the code and staff is simply exercising that code provision. Mr. Wilberg pointed out that the way it is conditioned currently is that the easements for the two access points, both from Peaceful Glen Road and from Timm Road, would need to be recorded and the road constructed prior to recordation of the final map.

Mr. Figueroa commented that at the time a subdivision map is recorded on the property there are conditions of approval which any prudent developer would read and follow. He commented that this is a typical check someone interested in buying property would make. He proposed that the applicant would be agreeable if the condition were rewritten to state that at the time the property was either sold or developed, the improvements would be made.

Mr. Wilberg explained that an access route that serves 2 to 10 parcels is what triggers the Public Works private road improvement requirements. Commissioner Rhoads-Poston wanted to know if a variance would be an option.

Mr. Yankovich responded that a variance would not be possible. He stated that the reason for this requirement is to ensure that the roads get constructed. If that construction is delayed and becomes the responsibility of someone else in the future, those improvements may not happen. Mr. Yankovich stated that this is the reason Public Works would like to have the roads recorded and improved now.

Since there were no further speakers, Chairperson Cayler closed the public hearing.

Commissioner Bauer stated that she would be interested in trying to find a way to help the applicant by noting her concern with the amount of money the applicant would need to spend for these road improvements.

Mr. Yankovich stated that planning staff could meet with Public Works to try and come up with an alternative condition of approval that will be acceptable by all parties. He said staff could then bring this item back to the commission for review.

A motion was made by Commissioner Bauer and seconded by Commissioner Hollingsworth to continue this matter to the regular meeting of November 1, 2018. The motion passed unanimously.

ANNOUNCEMENTS and REPORTS

There were no announcements or reports.

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





Solano County

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

Agenda Submittal

Agenda #: 1 Status: PC-Regular

Type: PC-Document Department: Planning Commission

File #: PC 18-046 **Contact:** Eric Wilberg 707.784.6765

Agenda date: 11/1/2018 Final action:

Title: Continued public hearing to consider Rezoning Petition No. Z-17-04 and Minor Subdivision

Application MS-17-06 of Hubert & Aurelia Goudie and William & Sylvia Marshalonis to rezone

15.69 acres from Rural Residential "RR-2.5" and Exclusive Agriculture "A-20" to Rural

Residential "RR-5"; and subdivide two existing parcels into three lots. The property is located at 4420 Peaceful Glen Road, 2.5 miles north of the City of Vacaville, APN's: 0105-060-390 and 40.

(Project Planner: Eric Wilberg) Staff Recommendation: Approve the minor subdivision

application and recommend rezoning approval to the Board of Supervisors

Governing body: Planning Commission

District:

Attachments: A - Draft Resolution

B - Vicinity Map

C - Tentative Parcel Map
D - Rezoning Exhibit
E - Assessors Parcel Map

Date Ver. Action By Action Result

RECOMMENDATION:

The Department of Resource Management recommends that the Planning Commission:

- 1. Conduct a public hearing to consider Rezoning Petition No. Z-17-04 to rezone 15.69 acres from Rural Residential "RR-2.5" and Exclusive Agriculture "A-20" to Rural Residential "RR-5" and to consider Minor Subdivision application MS-17-06 to subdivide two existing parcels into three lots; and
- 2. Recommend that the Board of Supervisors approve Rezoning Petition Z-17-04; and
- Approve Minor Subdivision application MS-17-06 based on the findings and subject to the recommended conditions of approval, contingent upon the effective rezoning by the Board of Supervisors; and
- 4. Make the finding that the project qualifies for a categorical exemption pursuant to CEQA Guidelines Section 15061(b)(3).

Reference Draft Resolution, Attachment A

BACKGROUND:

This item was continued from the October 4, 2018 Planning Commission hearing. At that hearing, the applicant's representative stated concerns during the public comment period regarding a condition of approval

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related to road improvements. The Condition No. 8 would require the construction of a private roadway to serve proposed Parcel 2. As conditioned, the roadway would extend from Timm Road, across APN 0105-060-240, then to the eastern property line of proposed Parcel 2.

The applicant's representative presented the case to the Commission that the ongoing use of proposed Parcel 2 is intended for agricultural purposes and that no residential development is proposed as part of this project. It was also stated that the property has been historically utilized solely for dry farming and that upgrading the existing access to private road standards would prove excessive and too costly for current and future uses onsite.

At the conclusion of the meeting, the Commission directed the Department to explore alternative road improvements for access to proposed Parcel 2. Conditions of Approval Nos. 9 and 10 in the attached resolution reflect changes to the previous condition. The newly proposed conditions address the scope and sequencing of the road improvements required to serve proposed Parcel 2. In general, road improvements have been reduced to a commercial driveway apron at Timm Road and a 50 foot stretch of private driveway outside of the public right-of-way.

EXECUTIVE SUMMARY:

The applicant is requesting a rezoning petition to align the proposed Rural Residential Zoning District boundaries with two residential lots within the proposed subdivision. The rezoning petition will convert 15.69 acres of land currently split zoned Rural Residential "RR-2.5" and Exclusive Agriculture "A-20" to Rural Residential "RR-5". The minor subdivision component of the project would effectively result in the creation of one additional lot.

ENVIRONMENTAL ANALYSIS:

The project qualifies for an Exemption from the California Environmental Quality Act pursuant to CEQA Guidelines Section 15061(b)(3), General Rule exemption.

PROPERTY INFORMATION:

A. Applicant and Owners:

Hubert & Aurelia Goudie and William & Sylvia Marshalonis 4428 Peaceful Glen Road Vacaville. CA 95688

B. Surrounding General Plan, Zoning and Land Uses:

	General Plan	Zoning	Land Use
North	Rural Residential	Rural Residential "RR-5"	Residential
South	Rural Residential	Exclusive Agriculture "A-20"	Seasonal dry crop
East	Rural Residential	Exclusive Agriculture "A-20"	Seasonal dry crop
West	Rural Residential	Rural Residential "RR-5" & "RR-2.5"	Residential

ANALYSIS:

A. Environmental Setting

The subject site is located along Peaceful Glen Road, 2.5 miles north of the City of Vacaville. The site is bound to the north by Peaceful Glen Road; to the east by a parcel in agricultural production (seasonal dry crop); to

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the south by a parcel in agricultural production (seasonal dry crop); and to the west by residential home sites. The site is situated predominantly within a swath of agricultural land southeast of Sweeny Creek, utilized for seasonal dry crop production. Rural residential home-sites on parcels ranging in size between 2.5 - 5 acres surround the agricultural area. Generally, the area identified as English Hills is located north and west of the subject site and the Allendale area is located to the east and south.

A majority of the 61.86 acre site is relatively flat exhibiting slopes of less than six percent. Sweeny creek meanders through the property, generally in a north-south direction. All development on-site is located northwest of the creek and consists of two residences and two residential accessory structures (carport and pole barn). Utilities including domestic water wells and private septic systems support the residential development on-site. Access to the property is provided via private driveway encroachment off Peaceful Glen Road (County Road No. 457).

Reference Vicinity Map, Attachment B

B. Project Description

The project's objective is to subdivide two existing parcels into three lots. The intent is to isolate residential development on the northwest side of Sweeny Creek, generally the dividing line between the Rural Residential and the Agricultural zoned areas of the property. The property currently functions with two single family dwellings and associated residential accessory structures on the northwest side of Sweeny Creek and agricultural production taking place on the southeast side of the creek. The subdivision would essentially create a second rural residential lot on the northwest side of the creek.

Reference Tentative Parcel Map, Attachment C

In order to facilitate the subdivision, the applicant has also filed a rezoning petition to align the Rural Residential zoning district boundaries with the two newly configured residential lots. The existing parcels are currently split zoned Rural Residential "RR-2.5" and Exclusive Agriculture "A-20". The proposal will rezone 15.69 acres Rural Residential "RR-5" and maintain the remaining 46.17 acres of the subject site as Exclusive Agriculture "A-20".

Reference Rezoning Exhibit, Attachment D

Proposed Parcel 1 will increase to 5.69 acres. This lot is developed with a single family dwelling, car port, and supporting domestic water well and private septic system. The lot has frontage along Peaceful Glen Road and a developed encroachment and private driveway to the public road. Parcel 1 will be rezoned Rural Residential "RR-5".

Proposed Parcel 3 will be 10 acres in size. This lot is developed with a single family dwelling, pole barn, and supporting domestic water well and private septic system. The lot will be accessed via 60 foot wide access easement extending from Peaceful Glen Road through Proposed Parcel 1. Parcel 3 will be rezoned Rural Residential "RR-5".

Proposed Parcel 2 will be 46.17 acres in size. The lot is undeveloped and utilized for seasonal dry farming. The intent is to keep the parcel in agricultural production and no development is proposed as part of this project. The lot will be accessed via 60 foot wide access easement extending from Timm Road through the adjacent parcel to the east (APN 0105-060-240). Parcel 2 will maintain its existing Exclusive Agriculture "A-20" Zoning.

LAND USE CONSISTENCY

General Plan & Zoning

The General Plan Land Use Diagram designates the subject site Rural Residential. The site is currently split zoned Rural Residential "RR-2.5" and Exclusive Agriculture "A-20". As seen on the General Plan/Zoning Consistency Table (Table LU-7 General Plan), the two existing zoning districts, as well as the proposed zoning change, are consistent with the general plan designation. Each of the three proposed parcels meets or exceeds the minimum parcel size required by their respective zoning district. The two Rural Residential lots will maintain a minimum of 5 acres and the Exclusive Agriculture lot will maintain the 20 acre parcel size. Existing residential development and agriculture use of the property are allowable land uses under each lots respective zoning.

Road Improvement and Land Development Standards

Access to the proposed parcels is provided from Peaceful Glen road by a proposed 60 foot wide private access easement and from Timm Road by a proposed 60 foot wide private access easement, both shown on the Tentative Parcel Map. In order to access proposed Parcel 2, it is necessary to cross APN 0105-060-240. In order to access proposed Parcel 3, it is necessary to cross proposed Parcel 1, identified as APN 0105-060-400.

Solano County Public Works Engineering recommends the following conditions be placed on any approval of the Tentative Parcel Map:

- 1. Subdivider shall be limited to one private roadway connection to Peaceful Glen Road and one private roadway connection to Timm Road, within the proposed access easements and at the locations shown on the Tentative Parcel Map.
- 2. Prior to the recordation of the final Parcel Map, the Subdivider shall obtain and record a 60 foot wide access easement across proposed Parcel 1, as shown on the Tentative Map and identified as APN 0105-060-400.
- 3. Prior to the recordation of the final Parcel Map, the Subdivider shall obtain and record a 60 foot wide access easement across APN 0105-060-240, referenced on the Tentative Map.
- 4. Prior to the recordation of the final Parcel Map, the Subdivider shall construct a private roadway from Peaceful Glen Road in accordance with County of Solano Road Improvement Standards. The private roadway shall be constructed from the connection to Peaceful Glen Road, across Parcel 1, identified as APN 0105-060-400 and as shown on the Tentative Map.
- 5. Prior to the recordation of the final Parcel Map, the Subdivider shall construct a paved commercial driveway apron within the Solano County right-of-way for the driveway access across the parcel identified as APN 0105-060-240 as shown on the Tentative Map. The paved driveway shall extend 50 feet beyond the Solano County right-of-way within the access easement.
- 6. Prior to issuance of any building permit on, or approval of any future Parcel Map for the parcel identified as Parcel 2 on the Tentative Map, the property owner at the time of development shall construct the private roadway from Timm Road within the access easement across the parcel identified as APN 0105-060-240 and in accordance with County of Solano Road Improvement Standards.
- 7. Subdivider shall apply for, secure, and abide by the conditions of encroachment permits for all work within the Solano County rights-of-way including, but no limited to, access connections with Peaceful Glen Road and Timm Road. The new access connections shall include paved aprons.
- 8. Subdivider shall apply for, secure, and abide by the conditions of a grading permit for the construction of the access improvements at Timm Road and Peaceful Glen Road, as shown on the Tentative Map, as well as all onsite grading.

9. Prior to the filing of the final Parcel Map, road maintenance agreements(s) shall be recorded that requires all lot owners in the subdivision to participate in the maintenance of the private roadways. The maintenance agreement(s) shall include all roadway improvements, including culverts and drainage ditches. The agreement(s) shall be submitted and approved by Public Works Engineering prior to recordation. The agreement(s) shall be noted in a supplemental sheet on the Parcel Map for the subdivision, and shall include the private roadways across Parcel 1 of the Tentative Map and the parcel identified as assessor's parcel number 0105-060-240.

ENVIRONMENTAL ANALYSIS (CEQA)

The site has been historically utilized for residential purposes on the northwest side of Sweeny Creek and dryland farming on the southeast side. Approximately half of the area to be rezoned Rural Residential "RR-5" is currently zoned Rural Residential "RR-2.5". The zoning change represents a downzoning for this area, whereas a permitted density of housing and development is reduced. The balance of the rezone area is currently zoned Exclusive Agriculture; however this area has historically functioned for residential purposes. The rezoning would be reflective of the existing physical environment and would not result in a loss of productive agricultural land.

The two proposed residential lots are developed with primary residences. The project has the potential to accommodate one additional primary residence intended to support agricultural operations on Proposed Parcel 2; however no residential development is proposed as part of the project. With no additional development, the setting and physical environmental will remain unchanged from its current state. With no changes to the site, the project will not create additional population dependent impacts such as significant increased traffic, overuse of public facilities, nor impact community character. The project site does not contain any major slopes or prominent topographical features; rare, endangered or regionally significant species of native flora and fauna, or known culturally significant archeological sites. The project does not have the potential for causing a significant effect on the environment; therefore a Notice of Exemption shall be prepared for the project pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15061(b)(3), General Rule exemption.

FINDINGS

Rezoning Petition

The Department recommends the Planning Commission make the following findings in recommending approval of the proposed zone change to the Board of Supervisors:

1. The proposed zone change is in conformity with the Solano County General Plan with respect to land use, population densities and distribution, traffic circulation and other aspects of the General Plan considered by the Board of Supervisors to be permanent.

As seen on Table LU-7 of the Solano County General Plan the proposed Rural Residential "RR-5" zoning is consistent with the Rural Residential General Plan designation for the property. The existing residential development of one primary dwelling per parcel, proposed minimum parcel size of 5 acres for lots supported by domestic water well and private septic system, density, and access are in conformity with the proposed zoning and existing designation.

2. The 15.69 acres of land proposed to be rezoned Rural Residential "RR-5" is contiguous to other Rural Residential zoned parcels.

Adjacent parcels located north and east of the subject site share the proposed Rural Residential zoning district.

California Environmental Quality Act

3. The project does not have the potential for causing a significant effect on the environment; therefore a Notice of Exemption shall be prepared for the project pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15061(b)(3), General Rule exemption.

A Notice of Exemption shall be prepared and filed pursuant to CEQA Guidelines Section 15061(b)(3). The project qualifies for this exemption because the potential construction of one additional primary single family residence incidental to agricultural operations is not significant to create effects on environmental resources such as transportation, noise, biological, cultural, hydrology, air quality, or others. Implementation of recommended conditions of approval would prevent the project from creating significant effects to the environment.

In addition, the zoning change represents a downzoning for this area, whereas a permitted density of housing and development is reduced. The balance of the rezone area is currently zoned Exclusive Agriculture; however this area has historically functioned for residential purposes. The rezoning would be reflective of the existing physical environment and would not result in a loss of productive agricultural land

Subdivision Ordinance

4. The proposed map is consistent with applicable general and specific plans as specified in Section 65451 of the Government Code.

The General Plan Land Use Diagram designates the property Rural Residential. This designation provides for single-family residences on parcels 2.5 - 10 acres in size. The existing residential development and proposed parcel sizes are consistent with the intent of the Rural Residential designation. As seen on General Plan / Zoning Consistency Table (Table LU-7) of the Solano County General Plan, the Exclusive Agricultural Zoning and agricultural use of Proposed Parcel 2 is consistent with the General Plan designation.

5. The design of the proposed subdivision is consistent with the Solano County General Plan.

The three proposed lots are of sufficient size and shape to continue to accommodate residential development and agricultural operations on-site.

6. The site is physically suitable for the proposed type of development.

Proposed Parcel 2 is undeveloped however is of sufficient size, relatively flat, and not located within a water scarce area therefore may accommodate a primary dwelling to be constructed on-site. Proposed Parcels 1 and 3 contain existing residential development.

6. The site is physically suitable for the proposed density of development.

Each of the three proposed lots may accommodate up to one primary single family dwelling. Proposed Parcels 1 and 3 are developed with such residence types. The site is physically suitable to accommodate a primary dwelling on Proposed Parcel 2.

6. The design of the subdivision is not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.

The subdivision does not involve any changes to the existing setting, therefore does not include any environmental damages or changes to any habitat(s).

9. The design of the subdivision will not cause serious public health problems.

The subdivision will not cause serious health problems.

10. The design of the subdivision and the type of improvements will not conflict with any public easements.

Any improvements resulting from the subdivision would be located outside any easements on-site.

10. The discharge of waste from the proposed subdivision into an existing community sewer system would not result in, or add to, a violation of existing requirements prescribed by a California Regional Water Quality Control Board pursuant to Division 7 (commencing with Section 13000) of the Water Code.

Each primary single family residence would utilize on-site septic systems and would not affect any existing community sewer system.

- 10. The property does not front on any public waterway, public river, public stream, coastline, shoreline, publicly owned lake or publicly owned reservoir.
- 13. The proposed subdivision does not front along a public waterway, public river or public stream and does not provide for a dedication of a public easement along a portion of the bank of the waterway, river or stream bordering or lying within the subdivision, which easement is defined so as to provide reasonable public use and maintenance of the waterway, river or stream consistent with public safety.
- 14. The proposed subdivision is not entered into a contract pursuant to the California Land Conservation Act of 1965.
- 15. The proposed subdivision is consistent with applicable provisions of the County Hazardous Waste Management Plan.

The subdivision does not involve hazardous waste.

16. The proposed subdivision is not located within a special studies zone established pursuant to the Alquist-Priolo Special Studies Zone Act (Public Resources Code Section 2621 et seq.) and is in accordance with the policies and criteria established by the State Mining and Geology Board pursuant to that Act

The proposed subdivision is not located within a special studies zone established pursuant to the Alquist-Priolo Special Studies Zone Act.

CONDITIONS OF APPROVAL

- 1. The Parcel Map to be recorded shall be in substantial compliance with the Tentative Parcel Map for Goudie et. al. prepared by Laugenour and Meikle, dated August 23, 2018; on file with the Solano County Planning Division, except as modified herein.
- 2. Approval of the Tentative Parcel Map for Minor Subdivision application No. MS-17-06 is contingent upon the effective date for Rezoning Petition Z-17-04, as approved by the Board of Supervisors. The rezoning petition shall take effect no earlier than 30 days from the Board of Supervisors approval of said petition.

Building & Safety Division

3. The permittee shall obtain approval from the Building and Safety Division prior to construction, erection, enlargement, altering, repairing, moving, improving, removing, converting, or demolishing any building or structure, fence, gate, or retaining wall regulated by the Solano County Building Code. The applicant shall submit four sets of plans to the Building and Safety Division for plan review and permits prior to beginning improvements.

Environmental Health Division

4. Prior to any residential development on either parcel, the property owner shall comply with Solano County Code Chapter 6.4 and 13.10 relative to water wells and septic systems.

Public Works - Engineering Division

- **5.** Subdivider shall be limited to one private roadway connection to Peaceful Glen Road and one private roadway connection to Timm Road, within the proposed access easements and at the locations shown on the Tentative Parcel Map.
- **6.** Prior to the recordation of the final Parcel Map, the Subdivider shall obtain and record a 60 foot wide access easement across proposed Parcel 1, as shown on the Tentative Map and identified as APN 0105-060-400.
- **7.** Prior to the recordation of the final Parcel Map, the Subdivider shall obtain and record a 60 foot wide access easement across APN 0105-060-240, referenced on the Tentative Map.
- **8.** Prior to the recordation of the final Parcel Map, the Subdivider shall construct a private roadway from Peaceful Glen Road in accordance with County of Solano Road Improvement Standards. The private roadway shall be constructed from the connection to Peaceful Glen Road, across Parcel 1, identified as APN 0105-060-400 and as shown on the Tentative Map.
- **9.** Prior to the recordation of the final Parcel Map, the Subdivider shall construct a paved commercial driveway apron within the Solano County right-of-way for the driveway access across the parcel identified as APN 0105-060-240 as shown on the Tentative Map. The paved driveway shall extend 50 feet beyond the Solano County right-of-way within the access easement.
- **10.** Prior to issuance of any building permit on, or approval of any future Parcel Map for the parcel identified as Parcel 2 on the Tentative Map, the property owner at the time of development shall construct the private roadway from Timm Road within the access easement across the parcel identified as APN 0105-060-240 and in accordance with County of Solano Road Improvement Standards.
- **11.** Subdivider shall apply for, secure, and abide by the conditions of encroachment permits for all work within the Solano County rights-of-way including, but no limited to, access connections with Peaceful Glen Road and Timm Road. The new access connections shall include paved aprons.
- **12.** Subdivider shall apply for, secure, and abide by the conditions of a grading permit for the construction of the access improvements at Timm Road and Peaceful Glen Road, as shown on the Tentative Map, as well as all onsite grading.
- **13.** Prior to the filing of the final Parcel Map, road maintenance agreements(s) shall be recorded that requires all lot owners in the subdivision to participate in the maintenance of the private roadways. The maintenance agreement(s) shall include all roadway improvements, including culverts and drainage

File #: PC 18-046, Version: 1

ditches. The agreement(s) shall be submitted and approved by Public Works Engineering prior to recordation. The agreement(s) shall be noted in a supplemental sheet on the Parcel Map for the subdivision, and shall include the private roadways across Parcel 1 of the Tentative Map and the parcel identified as assessor's parcel number 0105-060-240.

Attachments:

- A Draft Resolution
- B Vicinity Map
- C Tentative Parcel Map
- D Rezoning Exhibit
- E Assessor's Parcel Map

SOLANO COUNTY PLANNING COMMISSION RESOLUTION NO.

WHEREAS, the Solano County Planning Commission has considered the Goudie et. al. project including Rezoning Petition Z-17-04 and Minor Subdivision MS-17-06, which proposes to rezone a 15.69 acre portion of the property identified as APN's 0105-060-390 and 0105-060-400 from Rural Residential "RR-2.5" and Exclusive Agriculture "A-20" to Rural Residential "RR-5" and subdivide the two existing parcels into three lots; and

WHEREAS, the Solano County Planning Commission has reviewed the report of the Department of Resource Management and heard testimony relative to the project at the duly noticed public hearing scheduled for September 6, 2018, deferred to October 4, 2018, and continued to November 1, 2018; and

WHEREAS, on projects involving a rezoning of property from one zoning district to another, or that impose new or different regulations on the use of property, the Planning Commission is an advisory agency to the Board of Supervisors and the Commission is required to render a written recommendation to the Board, giving its reasons for the recommendation and describing the relationship of the proposed zoning amendment to the General Plan; and

WHEREAS, after due consideration, the Planning Commission has made the following findings in regard to Rezoning Petition Z-17-04:

- 1. The proposed zone change is in conformity with the Solano County General Plan with respect to land use, population densities and distribution, traffic circulation and other aspects of the General Plan considered by the Board of Supervisors to be permanent.
 - As seen on Table LU-7 of the Solano County General Plan the proposed Rural Residential "RR-5" zoning is consistent with the Rural Residential General Plan designation for the property. The existing residential development of one primary dwelling per parcel, proposed minimum parcel size of 5 acres for lots supported by domestic water well and private septic system, density, and access are in conformity with the proposed zoning and existing designation.
- 2. The 15.69 acres of land proposed to be rezoned Rural Residential "RR-5" is contiguous to other Rural Residential zoned parcels.

Adjacent parcels located north and east of the subject site share the proposed Rural Residential zoning district.

WHEREAS, this resolution, including the draft rezoning ordinance Attachment A hereto, together with the staff report prepared by the Department of Resource Management and the minutes of the Planning Commission's proceedings, constitute the Commissions' written recommendation and report to the Board of Supervisors on the Goudie et. al. project; and

WHEREAS, The project does not have the potential for causing a significant effect on the environment; therefore a Notice of Exemption shall be prepared for the project pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15061(b)(3), General Rule exemption.

A Notice of Exemption shall be prepared and filed pursuant to CEQA Guidelines Section 15061(b)(3). The project qualifies for this exemption because the potential construction of one additional primary single family residence incidental to agricultural operations is not significant to create effects on environmental resources such as transportation, noise, biological, cultural,

hydrology, air quality, or others. Implementation of recommended conditions of approval would prevent the project from creating significant effects to the environment.

In addition, the zoning change represents a downzoning for this area, whereas a permitted density of housing and development is reduced. The balance of the rezone area is currently zoned Exclusive Agriculture; however this area has historically functioned for residential purposes. The rezoning would be reflective of the existing physical environment and would not result in a loss of productive agricultural land.

WHEREAS, after due consideration, the Planning Commission has made the following findings in regard to Minor Subdivision MS-17-06, with approval contingent upon the effective rezoning approved by the Board of Supervisors:

3. The proposed map is consistent with applicable general and specific plans as specified in Section 65451 of the Government Code.

The General Plan Land Use Diagram designates the property Rural Residential. This designation provides for single-family residences on parcels 2.5 – 10 acres in size. The existing residential development and proposed parcel sizes are consistent with the intent of the Rural Residential designation. As seen on General Plan / Zoning Consistency Table (Table LU-7) of the Solano County General Plan, the Exclusive Agricultural Zoning and agricultural use of Proposed Parcel 2 is consistent with the General Plan designation.

4. The design of the proposed subdivision is consistent with the Solano County General Plan.

The three proposed lots are of sufficient size and shape to continue to accommodate residential development and agricultural operations on-site.

5. The site is physically suitable for the proposed type of development.

Proposed Parcel 2 is undeveloped however is of sufficient size, relatively flat, and not located within a water scarce area therefore may accommodate a primary dwelling to be constructed on-site. Proposed Parcels 1 and 3 contain existing residential development.

6. The site is physically suitable for the proposed density of development.

Each of the three proposed lots may accommodate up to one primary single family dwelling. Proposed Parcels 1 and 3 are developed with such residence types. The site is physically suitable to accommodate a primary dwelling on Proposed Parcel 2.

7. The design of the subdivision is not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.

The subdivision does not involve any changes to the existing setting, therefore does not include any environmental damages or changes to any habitat(s).

8. The design of the subdivision will not cause serious public health problems.

The subdivision will not cause serious health problems.

9. The design of the subdivision and the type of improvements will not conflict with any public easements.

Any improvements resulting from the subdivision would be located outside any easements on-site.

10. The discharge of waste from the proposed subdivision into an existing community sewer system would not result in, or add to, a violation of existing requirements prescribed by a California Regional Water Quality Control Board pursuant to Division 7 (commencing with Section 13000) of the Water Code.

Each primary single family residence would utilize on-site septic systems and would not affect any existing community sewer system.

- 11. The property does not front on any public waterway, public river, public stream, coastline, shoreline, publicly owned lake or publicly owned reservoir.
- 12. The proposed subdivision does not front along a public waterway, public river or public stream and does not provide for a dedication of a public easement along a portion of the bank of the waterway, river or stream bordering or lying within the subdivision, which easement is defined so as to provide reasonable public use and maintenance of the waterway, river or stream consistent with public safety.
- **13.** The proposed subdivision is not entered into a contract pursuant to the California Land Conservation Act of 1965.
- **14.** The proposed subdivision is consistent with applicable provisions of the County Hazardous Waste Management Plan.

The subdivision does not involve hazardous waste.

15. The proposed subdivision is not located within a special studies zone established pursuant to the Alquist-Priolo Special Studies Zone Act (Public Resources Code Section 2621 et seq.) and is in accordance with the policies and criteria established by the State Mining and Geology Board pursuant to that Act.

The proposed subdivision is not located within a special studies zone established pursuant to the Alquist-Priolo Special Studies Zone Act.

BE IT THEREFORE RESOLVED, that the Planning Commission has approved the project subject to the following recommended conditions of approval:

- 1. The Parcel Map to be recorded shall be in substantial compliance with the Tentative Parcel Map for Goudie et. al. prepared by Laugenour and Meikle, dated August 23, 2018; on file with the Solano County Planning Division, except as modified herein.
- 2. Approval of the Tentative Parcel Map for Minor Subdivision application No. MS-17-06 is contingent upon the effective date for Rezoning Petition Z-17-04, as approved by the Board of Supervisors. The rezoning petition shall take effect no earlier than 30 days from the Board of Supervisors approval of said petition.

Building & Safety Division

3. The permittee shall obtain approval from the Building and Safety Division prior to construction, erection, enlargement, altering, repairing, moving, improving, removing, converting, or demolishing any building or structure, fence, gate, or retaining wall regulated by the Solano County Building Code. The applicant shall submit four sets of

plans to the Building and Safety Division for plan review and permits prior to beginning improvements.

Environmental Health Division

4. Prior to any residential development on either parcel, the property owner shall comply with Solano County Code Chapter 6.4 and 13.10 relative to water wells and septic systems.

Public Works - Engineering Division

- 5. Subdivider shall be limited to one private roadway connection to Peaceful Glen Road and one private roadway connection to Timm Road, within the proposed access easements and at the locations shown on the Tentative Parcel Map.
- 6. Prior to the recordation of the final Parcel Map, the Subdivider shall obtain and record a 60 foot wide access easement across proposed Parcel 1, as shown on the Tentative Map and identified as APN 0105-060-400.
- 7. Prior to the recordation of the final Parcel Map, the Subdivider shall obtain and record a 60 foot wide access easement across APN 0105-060-240, referenced on the Tentative Map.
- 8. Prior to the recordation of the final Parcel Map, the Subdivider shall construct a private roadway from Peaceful Glen Road in accordance with County of Solano Road Improvement Standards. The private roadway shall be constructed from the connection to Peaceful Glen Road, across Parcel 1, identified as APN 0105-060-400 and as shown on the Tentative Map.
- 9. Prior to the recordation of the final Parcel Map, the Subdivider shall construct a paved commercial driveway apron within the Solano County right-of-way for the driveway access across the parcel identified as APN 0105-060-240 as shown on the Tentative Map. The paved driveway shall extend 50 feet beyond the Solano County right-of-way within the access easement.
- 10. Prior to issuance of any building permit on, or approval of any future Parcel Map for the parcel identified as Parcel 2 on the Tentative Map, the property owner at the time of development shall construct the private roadway from Timm Road within the access easement across the parcel identified as APN 0105-060-240 and in accordance with County of Solano Road Improvement Standards.
- Subdivider shall apply for, secure, and abide by the conditions of encroachment permits for all work within the Solano County rights-of-way including, but no limited to, access connections with Peaceful Glen Road and Timm Road. The new access connections shall include paved aprons.
- 12. Subdivider shall apply for, secure, and abide by the conditions of a grading permit for the construction of the access improvements at Timm Road and Peaceful Glen Road, as shown on the Tentative Map, as well as all onsite grading.
- 13. Prior to the filing of the final Parcel Map, road maintenance agreements(s) shall be recorded that requires all lot owners in the subdivision to participate in the maintenance

of the private roadways. The maintenance agreement(s) shall include all roadway improvements, including culverts and drainage ditches. The agreement(s) shall be submitted and approved by Public Works Engineering prior to recordation. The agreement(s) shall be noted in a supplemental sheet on the Parcel Map for the subdivision, and shall include the private roadways across Parcel 1 of the Tentative Map and the parcel identified as assessor's parcel number 0105-060-240.

RESOLVED, that the Solano County Planning Commission does hereby recommend approval of the rezoning petition to the Solano County Board of Supervisors and approval of the minor subdivision contingent on the effective rezoning of the property by the Board of Supervisors.

	* * * * * *	*****
		n was adopted at the regular meeting of the Solano 1, 2018 by the following vote:
AYES:	Commissioners	
NOES: ABSTAIN: ABSENT:	Commissioners Commissioners Commissioners	
		By:Bill Emlen, Secretary

Attachment A - Rezoning Ordinance

OF	RD	IN	A	N	CE	N	Ο.	201	18	-
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AN ORDINANCE AMENDING CHAPTER 28 OF THE SOLANO COUNTY CODE TO REZONE 15.69± ACRES LOCATED SOUTH OF PEACEFUL GLEN ROAD FROM RURAL RESIDENTIAL "RR-2.5" AND EXCLUSIVE AGRICULTURE "A-20" TO RURAL RESIDENTIAL "RR-5"

The Board of Supervisors of the County of Solano ordains as follows:

SECTION I

Chapter 28, Section 28.11 of the Solano County Code (Zoning Regulations), is amended by amending Zoning Map No. 2-S, as illustrated in Exhibit A attached hereto, rezoning a 15.69 acre portion of the property identified as APN's 0105-060-390 and 0105-060-400 from Rural Residential "RR-2.5" and Exclusive Agriculture "A-20" to Rural Residential "RR-5".

SECTION II

The Board of Supervisors has made the following findings in regard to the zoning amendment described in Section I of this ordinance:

- 1. The zoning amendment is in conformity with the Solano County General Plan with respect to land use, population densities and distribution, traffic circulation, public sewer and water service, and other pertinent aspects of the General Plan.
 - The proposed zone change of a 15.69 acre portion of the project site from Rural Residential "RR-2.5" and Exclusive Agriculture "A-20" to Rural Residential "RR-5" conforms with the Rural Residential General Plan designation, thereby permitting development of the property with land uses, population densities, septic and water service, and traffic circulation as envisioned by the General Plan.
- 2. The area of land proposed for rezoning is contiguous to other properties that are currently within the Rural Residential zoning district.
 - The property is contiguous to other properties that are currently zoned Rural Residential including properties to the north and west of the subject site.
- 3. The project has been reviewed and processed in accordance with the California Environmental Quality Act (CEQA) and the Solano County CEQA Guidelines.

The site has been historically utilized for residential purposes on the northwest side of Sweeny Creek and dryland farming on the southeast side. Approximately half of the area to be rezoned Rural Residential "RR-5" is currently zoned Rural Residential "RR-2.5". The zoning change represents a downzoning for this area, whereas a permitted density of housing and development is reduced. The balance of the rezone area is currently zoned Exclusive Agriculture; however this area has historically functioned for residential purposes. The rezoning would be reflective of the existing physical environment and would not result in a loss of productive agricultural land.

The two proposed residential lots are developed with primary residences. The project has the potential to accommodate one additional primary residence intended to support

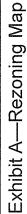
agricultural operations on Proposed Parcel 2; however no residential development is proposed as part of the project. With no additional development, the setting and physical environmental will remain unchanged from its current state. With no changes to the site, the project will not create additional population dependent impacts such as significant increased traffic, overuse of public facilities, nor impact community character. The project site does not contain any major slopes or prominent topographical features; rare, endangered or regionally significant species of native flora and fauna, or known culturally significant archeological sites. The project does not have the potential for causing a significant effect on the environment; therefore a Notice of Exemption shall be prepared for the project pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15061(b)(3), General Rule exemption.

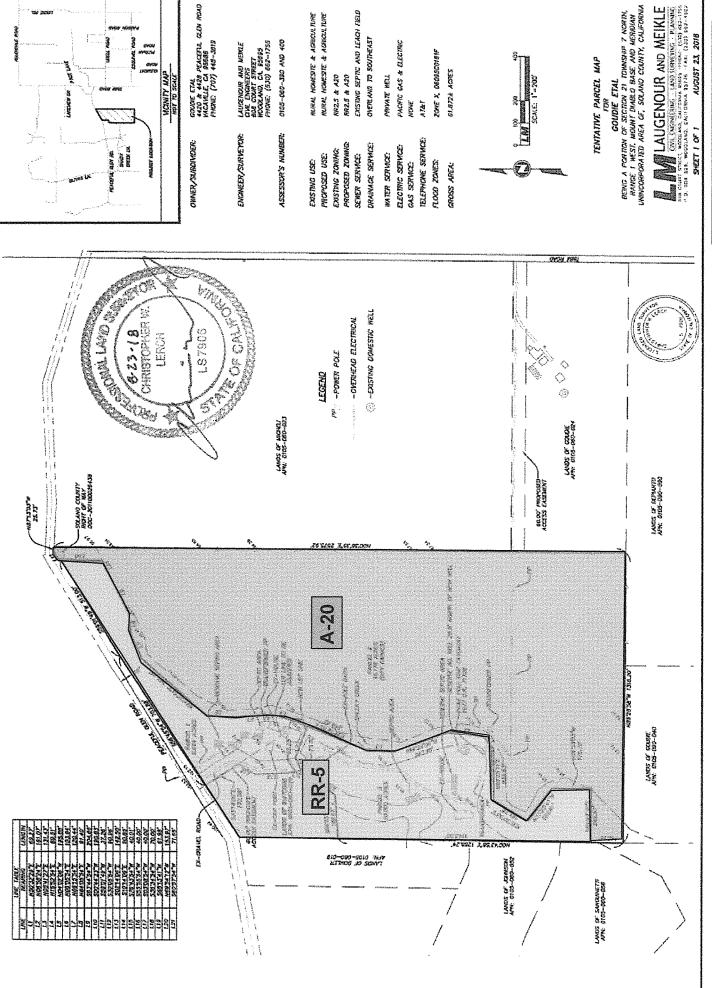
SECTION III

A summary of this ordinance shall be published once in the Daily Republic, a newspaper of general circulation in the County of Solano, not later than fifteen (15) days after the date of its passage and adoption and shall take effect thirty (30) days from and after its passage.

meetin			by the Solano County Board of Supervisors , 2018, by the following vote:	at its	regular						
	AYES:	Supervisors									
	NOES:	Supervisors									
	EXCUSED:	Supervisors									
7			John Vasquez, Chair Solano County Board of Supervisors								
_	ST: a E. Corsello, C of Supervisors	lerk									
By: Jeanet	tte Neiger, Chie	ef Deputy Clerk									

Exhibit A: Z-17-04 Rezoning Map

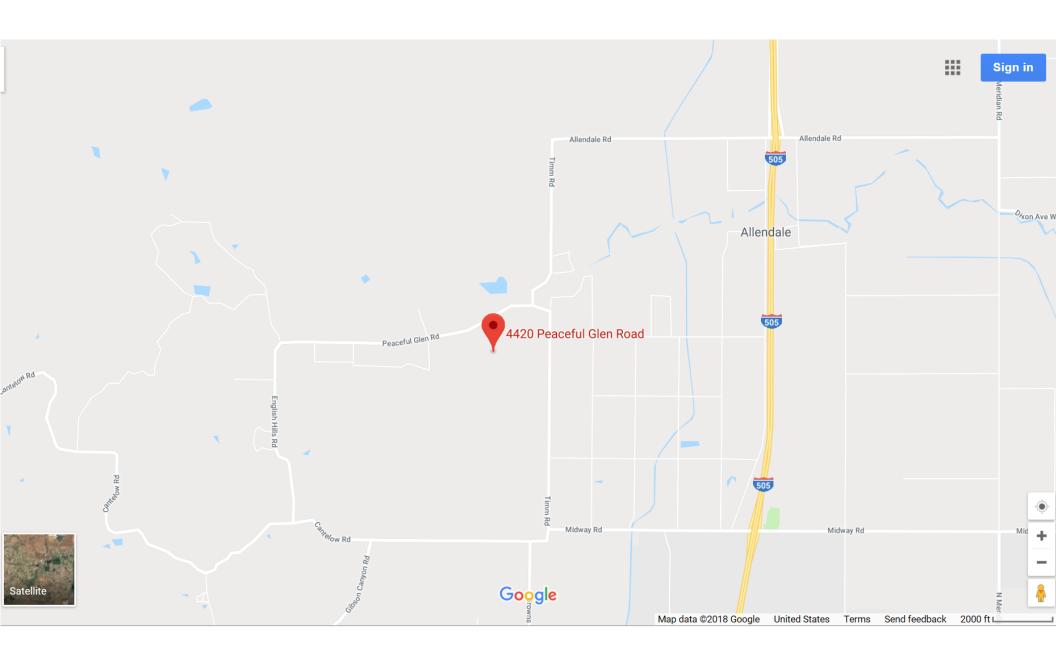


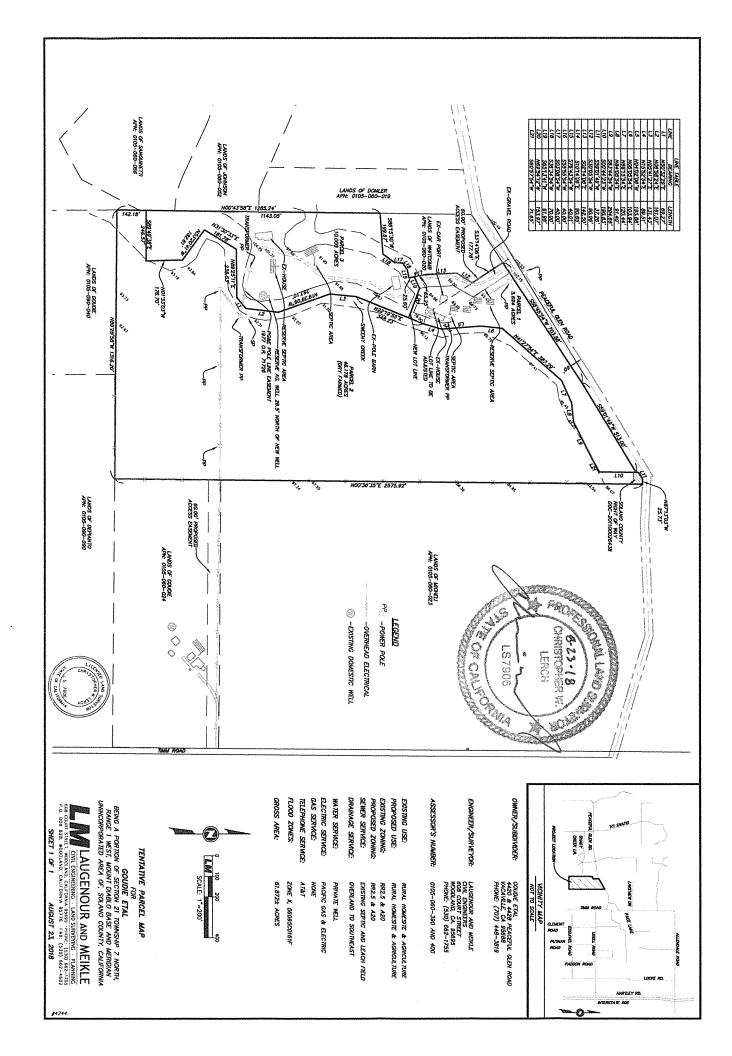


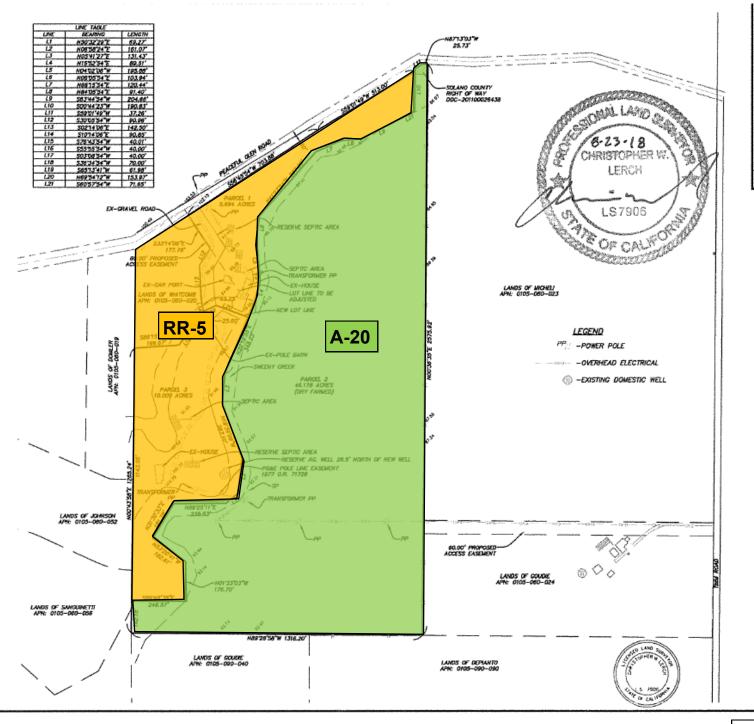
MINU HOMEDIE & ACHOLOURE

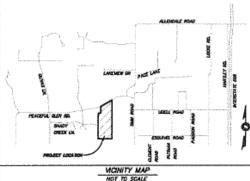
RRZS & AXO RR2.5 & A20

3









OWNER/SUBDIMDER:

GOUDIE ETAL 4420 & 4428 PEACEFUL GLEN ROAD VACAVILLE, CA 95688

PHONE: (707) 448-3819

ENGINEER/SURVEYOR:

LAUGENOUR AND MEIKLE CIME ENGINEERS 608 COURT STREET WOODLAND, CA. 95695 PHONE: (530) 662-1755

ASSESSOR'S NUMBER:

0105-060-390 AND 400

EXISTING USE: PROPOSED USE: RURAL HOMESITE & AGRICULTURE RURAL HOMESITE & AGRICULTURE

EXISTING ZONING: PROPOSED ZONING: RR2.5 & A20 RR2.5 & A20

SEWER SERVICE:

EXISTING SEPTIC AND LEACH FIELD

DRAINAGE SERVICE:

OVERLAND TO SOUTHEAST

WATER SERVICE:

PRIVATE HELL

ELECTRIC SERVICE:

PACIFIC GAS & ELECTRIC

GAS SERVICE:

NONE

TELEPHONE SERVICE:

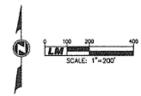
ATET

FLOOD ZONES:

ZONE X, 08095C0181F

GROSS AREA:

61.872± ACRES



TENTATIVE PARCEL MAP

GOUDIE ETAL

BEING A PORTION OF SECTION 21 TOWNSHIP 7 NORTH, RANGE I WEST, MOUNT DIABLO BASE AND MERIDIAN UNINCORPORATED AREA OF, SOLANO COUNTY, CALIFORNIA

LAUGENOUR AND MEIKLE CIVIL ENGINEERING - LAND SURVEYING - PLANNING

BIB COURT STREET, WOODLAND, CALIFORNIA 95895 PHIENE: (530) 862-1755 P.O. BOX 828, WOODLAND, CALIFORNIA 95776 FAX: (530) 862-4602

SHEET 1 OF 1

AUGUST 23, 2018

Exhibit A—Rezoning Map