Solano County

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



Agenda - Final

Thursday, October 4, 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 18-043 September 6, 2018 PC minutes

<u>Attachments:</u> <u>draft minutes</u>

PC 18-044 September 20, 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 18-045

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: Recommend approval of the rezoning to the Board of Supervisors and approve the minor subdivision application

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

B - Vicinity Map

C - Tentative Parcel Map

D - Rezoning Exhibit

E - Assessors Parcel Map

ANNOUNCEMENTS AND REPORTS

ADJOURN

To the Planning Commission meeting of October 18, 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 18-043 Contact: Kristine Sowards, 784.6765

Agenda date: 10/4/2018 Final action:

Title: September 6, 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 September 6, 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 Walker, Hollingsworth, and Bauer

EXCUSED: Vice-Chairperson Rhoads-Poston and Chairperson

Cayler

STAFF PRESENT: Bill Emlen, Director; Mike Yankovich, Planning Program

Manager; Matt Walsh, Principal Planner; Eric Wilberg, Planner Associate; Nedzlene Ferrario, Senior Planner; Misty Kaltreider, Environmental Health; Jim Laughlin, Deputy County Counsel; and Kristine Sowards, Planning

Commission Clerk

Acting Chairperson Walker called the meeting to order at 7:15 p.m. with a salute to the flag. Roll call was taken, and a quorum was present. The meeting began fifteen minutes late due to technical difficulties with the audio-visual equipment.

Approval of the Agenda

The Agenda was approved with no additions or deletions.

Approval of the Minutes

The minutes of the regular meetings of July 19, and August 2, 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 stated that staff is requesting a continuance of this item to allow additional time to finalize conditions of approval, review, and discuss those conditions with the project applicant.

A motion was made by Commissioner Hollingsworth and seconded by Commissioner Bauer to continue this matter to the September 20, 2018 meeting. The motion passed unanimously.

Item No. 2

Amendment No. 1 to Use Permit No. U-01-06 of **HD Dairy Ranch** to increase the number of cattle from 6,000 to 10,291 without exceeding the approved number of animal units originally approved in 2001, 7,215 animal units. The increase in cattle is due to the change of the larger Holsteins breed to smaller breed of Jerseys. In addition, construction of exercise and grazing pens, corrals, calf hutches and employee housing are proposed over two phases. The property is located at 7755 Midway Road, 3.25 miles east of the City of Dixon in the Exclusive Agricultural "A-40" Zoning District, APN's: 0112-060-060, 070, 080; 0112-100-050, 060. The Planning Commission will also be considering adoption of a Mitigated Negative Declaration of Environmental Impact as recommended by the Solano County Department of Resource Management. (Project Planner: Nedzlene Ferrario)

Nedzlene Ferrario provided a brief presentation of the written staff report. The applicant is proposing to increase the number of cattle from 6,000 to 10,291 without exceeding the assumed number of animal units originally approved in 2001, 7215.5 animal units. The increase is due to the replacement of cattle breed from the larger Holstein to smaller frame sized Jerseys. Construction of one additional employee housing unit, exercise and grazing pens and calf hutches are proposed over two phases. Environmental impacts associated with the project is not significant in that, the additional number of smaller breed of cattle would not cause any significant environmental impacts assumed in the prior environmental analysis. Staff recommended approval of the project.

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

Chairperson Walker commented that Condition No. 14 seemed to be quite strongly worded and asked about the basis for such wording. Ms. Ferrario explained that the language used is standard language and was adopted in 2001. She said the principles are still the same, especially with a project such as this where additional animals are being proposed. Mr. Walker commented that in the initial study it is indicated that there is no noise impact. He questioned with the increase in the number of cows if that itself would be an impact on noise. Ms. Ferrario said that the Jersey breed is smaller than the current Holstein breed and so even with an increase in the number of animals it was not anticipated that it would be noisier.

Commissioner Bauer asked staff for verification that the neighbor residing closest to the facility was not in opposition to the expansion. Ms. Ferrario answered that the neighbor had submitted, in writing, their approval of the project. She noted for the record that a public notice had gone out to neighboring property owners within 1 mile of the facility and no comments were received.

A motion was made by Commissioner Hollingsworth and seconded by Commissioner Bauer to adopt the Mitigated Negative Declaration and the mandatory and additional findings and approve Amendment No. 1 to Use Permit No. U-01-06 subject to the findings and recommended conditions of approval. The motion passed unanimously. (Resolution No. 4660)

Item No. 3.

Policy Plan Overlay No. PP-17-01 of **Canon Partners**, **LLC** to apply a policy plan overlay to 83.5 acres located at 5204 North Gate Road 1.5 miles southeast of the City of Vacaville within the Exclusive Agriculture "A-80" Zoning District to permit the addition of transitional industrial and transitional commercial uses; APNs: 0166-040-060 and 0166-050-100. The Planning Commission will also be considering adoption of a Mitigated Negative Declaration of Environmental Impact as recommended by the Solano County Department of Resource Management. (Project Planner: Eric Wilberg)

Eric Wilberg provided an overview of the written staff report. The project consists of designating 83.5 acres of a 302-acre property as a policy plan overlay district to the underlying Exclusive Agriculture zoning. The objective of the project is to provide an additional 50 acres for the relocation of existing businesses from the Fairfield Train Station development area to this site, on a temporary basis, until they transition to a permanent location within the City of Fairfield on the adjacent parcels to the west. The sought after temporary businesses would be land uses consistent with the Transitional Industrial and Transitional Commercial Uses listed in the Solano County Exclusive Agricultural zoning district. Staff recommended approval.

Bill Emlen, Director, Resource Management, added to the staff presentation by stating that he wanted to include, for the commission's consideration, several additional findings and performance standards. He said the additional information are important inclusions and he asked that the commission adopt them as part of the project approval.

Mr. Emlen read into the record the proposed language as follows: Finding No. 4) The proposed Policy Plan Overlay has been deemed consistent with the Travis Air Force Base Land Use Compatibility Plan in that any site improvements associated with the Plan will have no material impact on Base operations or expansion. 5) The proposed Policy Plan Overlay would be supportive of Travis Air Force Base operations by providing for short term transitional uses such as asphalt recycling which services runway repairs at the Base. 6) The proposed Policy Plan Overlay limits building and improvements to those that are temporary in nature and easily dismantled or moved to allow restoration of the property back to long term agricultural use of the property. 7) No municipal services will be extended to the property covered under this Policy Plan Overlay. Mr. Emlen noted that Finding No. 4 that is currently listed in the ordinance would now become Finding No. 8.

Under the Performance Standards, Mr. Emlen proposed the following additional language: Structures – Any structure constructed pursuant to this Policy Plan Overlay shall be temporary in nature by use of materials that allow for quick dismantling or modular and easily movable; and, Municipal Services – No municipal services may be extended to the subject property covered under this overlay.

Commissioner Hollingsworth asked about the new Finding No. 4 where it indicates that there would not be an effect on the Travis Reserve Area. He wanted to know if that determination was made by Travis AFB. Mr. Emlen stated that staff had met with Base personnel to discuss any possible impacts and they concurred with staff's proposed findings.

Chairperson Walker inquired as to why the county is proposing a policy plan overlay. He asked that question as it pertains to agenda item nos. 4 and 5. Mr. Leland addressed that question by explaining that the use permit for Go Green Asphalt was approved a couple of years ago under the standard practice of using the underlying zoning, which is agriculture. He

stated that after that approval the property owner approached the county with another land use that they wanted to bring over from the Fairfield Train Station site which was the Bubbling Well Pet Memorial Park. Staff was not sure that this was an allowable use in the ag district and so the property owner wanted an opportunity to ask the Board of Supervisors. The Board ruled that it was. It was then assumed by staff that the property owner would continue to want to move uses temporarily over to this site, and so staff proposed to do a one site planning effort rather than continuing to have these uses come in piecemeal.

Mr. Leland stated that the property owner was amenable to that idea and so the county started this process of using a policy plan overlay for the purposes of limiting the underlying zoning. Since the goal is to ultimately return the land back to agriculture, staff devised a plan that specifies a range of uses that might relocate to this site. Mr. Leland stated that an added feature to make it known that these uses are limited term uses is a ten-year time limitation. He noted that the time limit includes a provision for a one-time extension.

Mr. Leland explained that the way the Train Station Specific Plan builds out is it begins with residential development. It may take ten years before sewer and water is extended to the industrial sites by way of the residential development. Mr. Leland noted that in the provisions of the Travis Reserve the permanent land use is agriculture, but temporary uses can be considered if there are no substantial improvements, the use can be easily removed, and there is a home for them. He noted that it allows for the ongoing operation of Go Green Asphalt where most of their business is the recycling of old runway material due to the long-term upgrade of the ramp and runway at Travis AFB. Mr. Leland explained that is why staff selected the policy plan overlay; it gives the county further control over a situation which is out of the ordinary and tries to solve a problem that is not easily solved by the standards in a normal zoning district.

Commissioner Hollingsworth inquired about the extension to the time limit. Mr. Leland explained that the reason for the length of time is that it cannot be precisely predicted when the city's sewer and water will be extended to the site. At the normal build-out of residential development it should fall within the ten-year timeframe, but home building is a cyclical business, and should there be another down turn it might take longer. Mr. Leland noted that also provided in the ordinance is a provision for reclamation of the site back to agriculture for when these transitional industrial uses have terminated.

Since there were no further questions or comments, Chairperson Walker opened the public hearing.

David Marianno, Denverton Road, Suisun, mentioned that he was involved with the Citizens to Protect Travis in 1997. He said at that time 8,000 homes were proposed to be built on the north side of Travis and the citizens group were successful when no development was allowed past North Gate Road. Mr. Marianno stated that Solano County has only one industrial track that he is aware of and that property is located one mile from his home. He stated that he has lived in this area for 44 years and commented that the county's industrial track is a mess and numerous violations exist. He said regulations and the enforcement of regulations in the county are almost non-existent. He was concerned about the policing of these proposed uses. Mr. Marianno also voiced his concern with road impacts due to the large trucks that will be hauling materials to the site. Mr. Marianno stated that Travis AFB is more than a viable advantage to this county and we cannot allow any interference with their Mission by erecting large structures that interrupt base transmissions.

Mr. Leland stated that staff has met with the Deputy Base Commander and his staff to discuss this matter and they did not have any concerns with this proposal.

Marilyn Farley, Coventry Lane, Fairfield, stated that she is someone that is interested in the county's open space, agricultural lands, and the protection of Travis AFB. She stated that a recent article in the Daily Republic regarding the idea of an alternate use for agricultural land near Travis AFB caught her attention. She said her initial concern is that this is agricultural land intended for ag use and is part of the Travis Reserve. Ms. Farley said she reviewed the language in Measure T which was the Initiative that voters approved in 2008 that approved the County General Plan until 2028. She pointed out that in that document it talks about not converting agricultural land to other uses. She said staff told her because this is Policy Plan Overlay that it is valid. She did not doubt what staff was saying, however she also looked at Land Use Table No 7 in the General Plan. The table is cited in the staff report as the reason for what is being proposed and she noted that the only overlay that is permitted is an overlay referred to as a resource conservation overlay district. Ms. Farley commented that if it is permitted in the zoning section of the ordinance it is not permitted in Land Use Table No. 7 nor is it permitted in the language of Measure T.

Ms. Farley referred to the extension of time and suggested rather than permitting a ten-year extension, to make the use subject to review by considering the circumstances. She felt this review would be appropriate to be written into the proposed ordinance. Ms. Farley stated that what also may be worth considering is perhaps the requirement for some type of a bond to ensure that the buildings will be removed when the use has been terminated.

Chairperson Walker asked staff to address the concern voiced by Ms. Farley with regards to the Land Use Table.

Mr. Leland said the table cited by Ms. Farley is a table that sets forth which zoning districts are consistent with each general plan designation. Listed on separate lines in that table are general plan designations and zoning districts. On the land use designation line in the general plan there is the Resource Conservation District which is a general plan overlay district. The policy plan overlay is a zoning instrument to ensure the agricultural zoning districts are all consistent with the ag designations in the Land Use Element of the general plan. Mr. Leland noted that staff is not changing either the land use designation of the general plan nor the underlying zoning on the property and so there is no issue with Measure T.

Mr. Leland explained that what is being done with the policy plan overlay is the modification of development standards that are inherent within the ag zoning districts, to custom tailor them to this situation and to add features such as the ten-year term limit. Mr. Leland noted that the timeframe of the use can only be extended if the City of Fairfield has, in the first ten years, authorized the extension of the sewer and water services to the site. If they have not authorized the extension of those services at that time, the business would not be eligible for the second ten-year term.

Frank Andrews, Kentucky Street, Fairfield, spoke on the behalf of the property owners of both the future city industrial park and these temporary uses being considered this evening. Mr. Andrews stated that the trucks that deliver the materials to the site only travel on city streets. They enter the site at either North Gate Road or Canon Road and never travel on county roads. He provided an update on the operations of the Go Green concrete recycling center stating that the business has recycled 207,000 tons of material, 70% of which comes from

Travis AFB. Mr. Andrews stated that the trucks travel a short distance on the roads from the Base to the site and that is perhaps one of the major reasons Travis has been supportive of this type of use.

Commissioner Hollingsworth pointed out that on his frequent travels through the area he has observed construction of the upgrading of the roads between North Gate Road and the Go Green facility, as well as on Canon Road. Mr. Andrews added that when the adjacent property was annexed to the City of Fairfield, the city annexed both North Gate and Canon Roads and he believed as part of an agreement between the county and the city, they are both cooperatively bringing the roads up to some standard.

Jim Laughlin pointed out that the provision for the extension only applies to the use permit and currently there is nothing in the zoning ordinance that cause the zoning itself to sunset. Mr. Laughlin suggested that perhaps the commission might want to consider recommending a sunset date be included with the ordinance so that the overlay zoning itself will sunset at the end of any use permit on the property. Mr. Laughlin said specific language would need to be worked out to accomplish this and if the commission likes the idea it could be part of their recommendation to the Board. He noted that staff could put some language together to present in the Board report.

Chairperson Walker asked the applicant if he would agree with the sunset recommendation. Mr. Andrews stated that he would agree if the sunset dates for each permit are identical.

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

A motion was made by Commissioner Hollingsworth and seconded by Commissioner Bauer that the Commission recommend to the Board of Supervisors that they adopt the Mitigated Negative Declaration and the mandatory and additional findings for an Ordinance applying the policy plan overlay district (PP-17-01) to the subject property, including the suggested amendments made by staff to include additional findings, additional performance standards, and a sunset date. The motion passed unanimously. (Resolution No. 4661)

Item No. 4

Minor Revision No. 1 to Use Permit Application No. U-15-05 of **Go Green Asphalt Inc.** to convert the existing Construction, Demolition, and Inert Debris Facility into an Inert Debris (Type A) Recycling Center which accepts, processes, and stores construction debris including concrete, asphalt, and soil. The project is located within unincorporated Solano County approximately 1.5 miles southeast of the City of Vacaville within the Exclusive Agriculture "A-80" Zoning District, APN: 0166-040-060. The Planning Commission will also be considering adoption of a Mitigated Negative Declaration of Environmental Impact as recommended by the Solano County Department of Resource Management. (Project Planner: Eric Wilberg)

Mr. Wilberg gave a brief presentation of the written staff report. The permittee, Go Green Asphalt, Inc., is requesting a minor revision to their use permit to convert the existing Construction, Demolition, and Inert Debris Facility into an Inert Debris (Type A) Recycling Center which accepts, processes, and stores construction debris including concrete, asphalt, and soil. Permitting the reclassification would allow for an increase in storage time limitations for unprocessed and processed materials.

The property owner is concurrently pursuing a policy plan overlay application on an 83-acre portion of the subject site. At 33 acres the Go Green facility would be the primary land use within the overlay district. The existing use and proposed changes are conditionally permitted within the proposed overlay district. Staff recommended approval.

Chairperson Walker opened the public hearing. Since there were no speakers, the public hearing was closed.

A motion was made by Commissioner Hollingsworth and seconded by Commissioner Bauer to adopt the Mitigated Negative Declaration and approve Minor Revision No. 1 to Use Permit No. U-15-05 subject to the mandatory and suggested findings and recommended conditions of approval. The motion passed unanimously. (Resolution No. 4662)

Item No. 5

Use Permit Application No. U-17-03 of **Bubbling Well Pet Memorial Park, Inc.** to permit an animal crematorium located within unincorporated Solano County approximately 1.5 miles southeast of the City of Vacaville within the Exclusive Agriculture "A-80" Zoning District, APN: 0166-050-100. The Planning Commission will also be considering adoption of a Mitigated Negative Declaration of Environmental Impact as recommended by the Solano County Department of Resource Management. (Project Planner: Eric Wilberg)

Eric Wilberg gave a summary of the staff report. The permittee, Bubbling Well Pet Memorial Park, Inc., is requesting use permit approval to establish and operate an animal crematorium along North Gate Road. At its regular meeting on January 10, 2017 the Board of Supervisors made the finding that a pet crematorium is a land use that is substantially like waste incineration which is a permissible land use within the Excusive Agriculture "A-80" Zoning District. The property is currently zoned "A-80" however the property owner is concurrently pursuing a policy plan overlay application on an 83-acre portion of the subject site. The Bubbling Well facility would be situated on 4.2 acres within the policy plan overlay and the proposed use would be a permissible land use within the policy plan overlay district. Staff recommended approval.

Chairperson Walker opened the public hearing.

The applicant Dan Harberts, Enterprise Way, Napa, appeared before the commission. He said that Bubbling Well has been serving the community close to 30 years. He noted that the business was originally located on Claybank Road and then eventually moved over to Peabody Road. Mr. Harberts stated that they have been a part of the community by providing services to veterinary hospitals and emergency clinics in the county and they have contributed to pet causes in the community. Mr. Harberts said that he likes the area and would like to continue to be a part of the community.

Commissioner Bauer asked Mr. Harberts if he was agreeable to moving after the ten-year period. Mr. Harberts stated that he would leave because he would have no other choice, but he would hope that the use would be extended because he would like to remain in this area.

Commissioner Hollingsworth commented that because this facility will be located within one mile of Base housing, he inquired about the environmental effects of the process of cremation and wanted to know if it produces a dust or an odor. Mr. Harberts explained that with today's requirements by the air quality district, the particulate or smoke is almost non-existent because

of the temperatures that are required to be maintained. He stated that there is literally no smoke and no odor to speak of outside of the building.

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

A motion was made by Commissioner Bauer and seconded by Commissioner Hollingsworth to adopt the Mitigated Negative Declaration and approve Use Permit Application No. U-17-03 subject to the mandatory and suggested findings and recommended conditions of approval. The motion passed unanimously. (Resolution No. 4663).

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 #: Status: PC Minutes

Type: PC-Document Department: Planning Commission

File #: PC 18-044 Contact: Kristine Sowards, 784.6765

Agenda date: 10/4/2018 Final action:

Title: September 20, 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 September 20, 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.

<u>PRESENT</u>: Commissioners Rhoads-Poston, Hollingsworth, Bauer,

and Chairperson Cayler

EXCUSED: Commissioner Walker

STAFF PRESENT: Mike Yankovich, Planning Program Manager; Jim

Laughlin, Deputy County Counsel; 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

There were no minutes available for approval.

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)

Mike Yankovich stated that staff recommends the commission defer this matter to allow staff additional time to finalize conditions of approval, review, and discuss those conditions with the project applicant.

A motion was made by Commissioner Bauer and seconded by Commissioner Rhoads-Poston to continue this item to the regular meeting of October 4, 2018. The motion passed unanimously.

Item No 2

PUBLIC HEARING to consider the 2018 Amendment to the County's component of the **Suisun Marsh Local Protection Program** including General Plan Amendment (G-18-02) and Zone Text (ZT-18-04). The Planning Commission will also be considering adoption of a Negative Declaration of Environmental Impact as recommended by the Solano County Department of Resource Management. (Project Planner: Michael Yankovich)

Mike Yankovich provided a presentation of the written staff report. The report stated that Solano County is proposing to amend and update the County's component of the Suisun Marsh Local Protection Program (LPP). The County is required to prepare and adopt a component of the LPP as required under the 1977 Suisun Marsh Preservation Act (Marsh Act) to implement the Marsh Act and the Suisun Marsh Protection Plan within the Suisun Marsh Management area. The County component of the LPP, as last certified by BCDC in 1999, is comprised of polices contained in the County General Plan as in effect in 1999; County Code provisions including the Zoning Code (Chapter 28), Drainage and Flood Control (Chapter 9), and Grading and Erosion Control (Chapter 31) as in effect in 1999; and policies regulating sewage disposal systems.

The 2012 update to the County's component of the LPP was prepared as a result of a number of actions including: adoption of the 2008 General Plan; updates to the Zoning Code; rezoning of the Water Related Industrial Reserve Area around Collinsville consistent with the 2008 General Plan; and County Code amendments consolidating Chapters 9 and 31 into a new updated Chapter 31 addressing grading, drainage, land leveling, and erosion control. The Board approved the 2012 LPP update on August 28, 2012, and the County submitted that update to BCDC for certification.

During BCDC's certification process, the Department of Resource Management became aware that further amendments to the text of the LPP may be necessary to clarify the County's policies and regulations for development in the Suisun Marsh. The County withdrew its certification request and the Department has prepared further revisions to the introductory text of the LPP, the General Plan, and Chapters 28 and 31 of the County Code, all of which together comprise the County's component of the LPP. These further revisions include combining Suisun Marsh Policy 15 (SM.P-15) with Suisun Marsh Policy 13 (SM.P-13) (pages 30-47), since they both address the County's grading ordinance, and renumbering the remaining policies. The County's grading ordinance has been amended to address grading activities specific to the Marsh (pages 87 & 88).

Another issue involves the post closure activities that Potrero Hills Landfill will be able to pursue. Landfill staff have been working with BCDC and County staff regarding the acceptable post closure activities that the Landfill will be able to engage in. Language has been revised (pages 53 & 54) under Footnote 5 of Table 28.22A of the Suisun Marsh Agricultural districts Table of Allowed Uses. The language provides the Planning Commission latitude to approve uses that are compatible with approved closure and/or post-closure plans for the site that will not subject occupants of the site, neighbors or the environment to risks associated with the wastes. Additional language was added to the Marsh Preservation district Table of Allowed

uses to clarify that a use permit is required for marsh restoration activities only when dredge sediments are being used; this language was inadvertently omitted when Chapter 28 was updated in 2012.

Chairperson Cayler 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 Hollingsworth and seconded by Commissioner Bauer to recommend that the Board of Supervisors adopt a resolution approving a Negative Declaration of environmental impact for the project; adopt a resolution amending the Solano County General Plan; adopt an ordinance amending Chapter 28, Zoning Regulations; introduce an ordinance amending Chapter 31, Grading, Drainage, Land Leveling, and Erosion Control, and; adopt a resolution amending the Solano County Component of the Suisun Marsh Local Protection Program and transmitting the Local Protection Program to the Bay Conservation and Development Commission for certification. The motion passed unanimously. (Resolution No. 4664)

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 18-045 Contact: Eric Wilberg, 784.6765

Agenda date: 10/4/2018 Final action:

Title: 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: Recommend approval of the rezoning to the Board of

Supervisors and approve the minor subdivision application

Governing body: Planning Commission

District:

Attachments: A - PC 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
- 3. 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

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

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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 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

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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.

- 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 the private roadways to the County of Solano Road Improvement Standards. The first access road shall be constructed from the connection to Peaceful Glen Road, across proposed Parcel 1, as shown on the Tentative Map and identified as APN 0105-060-400. The second access road shall be constructed from the connection to Timm Road, across APN 0105-060-240, as referenced on the Tentative Map.
- 5. 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, driveway and private road connections with Peaceful Glen Road and Timm Road. The new driveway connections shall include paved aprons.
- 6. Subdivider shall apply for, secure, and abide by the conditions of a grading permit for the construction of the private road from Timm Road to proposed Parcel 2 and from Peaceful Glen Road to proposed Parcel 3, as shown on the Tentative Map, and for all onsite grading.
- 7. 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.

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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.

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 the private roadways to the County of Solano Road Improvement Standards. The first access road shall be constructed from the connection to Peaceful Glen Road, across proposed Parcel 1, as shown on the Tentative Map and identified as APN 0105-060-400. The second access road shall be constructed from the connection to

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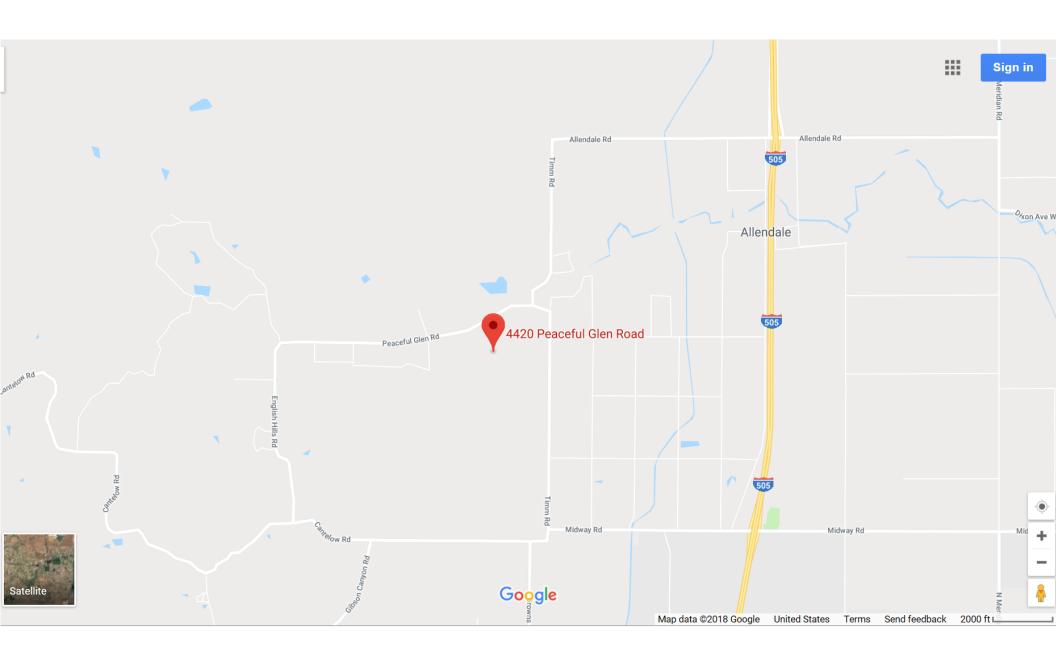
Timm Road, across APN 0105-060-240, as referenced on the Tentative Map.

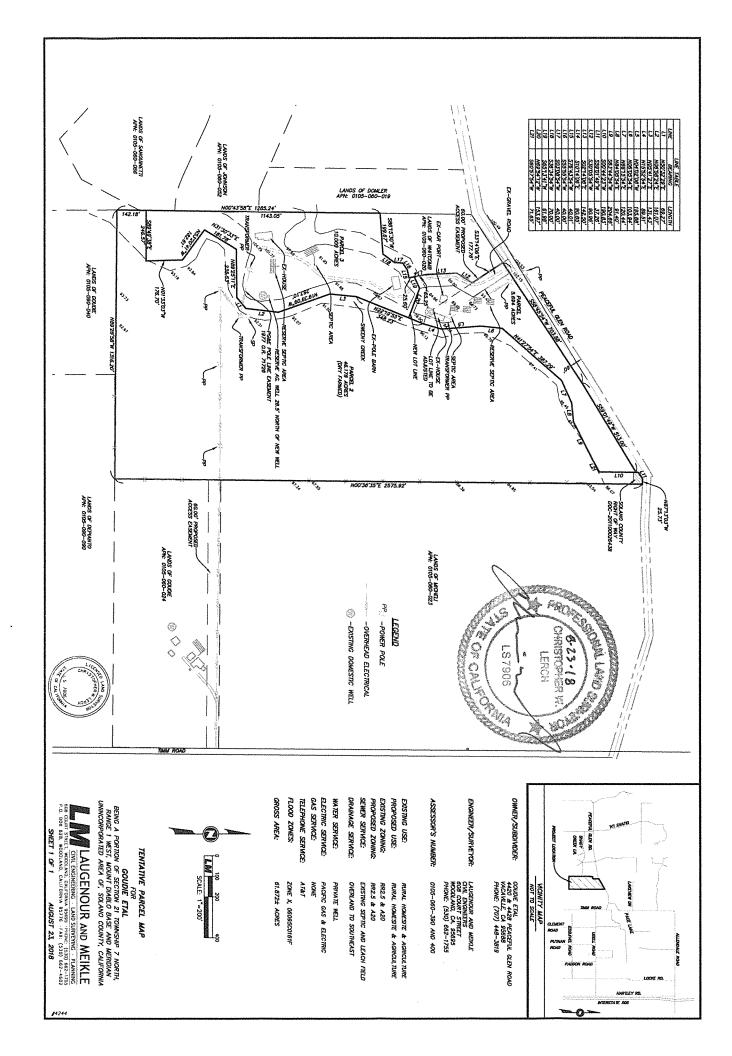
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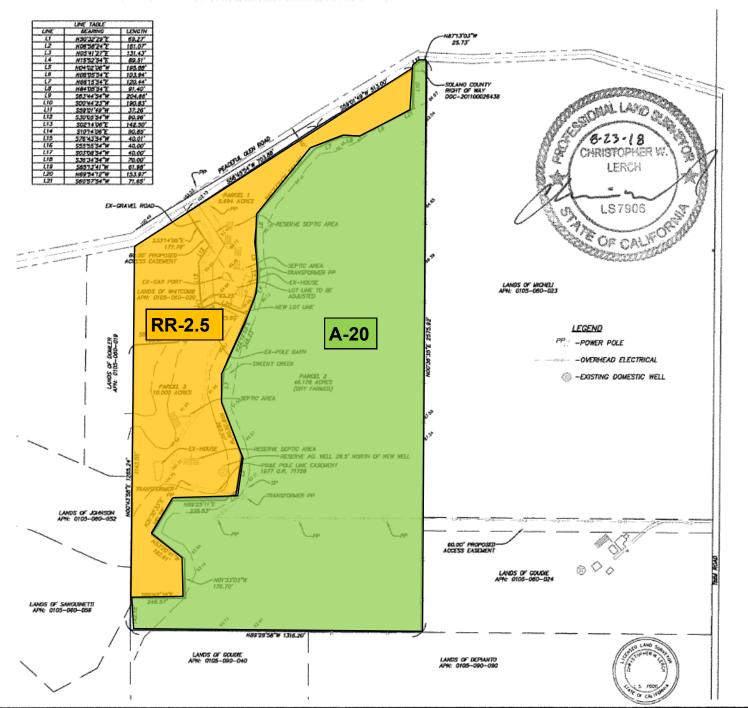
Attachments:

- A Draft Resolution (this document will be delivered under separate cover)
- B Vicinity Map
- C Tentative Parcel Map
- D Rezoning Exhibit
- E Assessor's Parcel Map

Attachment A PC Resolution					
(This document wil	l be delivered under	separate cover)			









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: ELECTRIC SERVICE:

PRIVATE HELL 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