



**Department Of
Resource Management**
675 Texas Street, Suite 5500
Fairfield, CA • 94533

*Planning Services Division
(707) 784-6765 Fax (707) 784-4805*

*Mike Yankovich
Program Manager*

Agenda Item No. 2

MEMORANDUM:

TO: Solano County Zoning Administrator
FROM: Nedzlene Ferrario, Senior Planner
SUBJECT: MS-14-02 A & T Ranches
MEETING DATE: September 4, 2014

Recommendation: APPROVE the minor subdivision subject to the findings and conditions of approval contained in the attached Resolution.

Discussion: The item was continued from August 21, 2014 in order to evaluate a Parcel Map Waiver request for the project. The proposed project qualifies for a waiver according to Chapter 26 and the Subdivision Map Act, and updated findings and conditions of approval are included in the attached Resolution.

SOLANO COUNTY ZONING ADMINISTRATOR RESOLUTION NO. XXX

WHEREAS, the Solano County Zoning Administrator has considered, in public hearing, Minor Subdivision Application No. MS-14-02 of **A & T Ranches** to subdivide 321 acres into 2 parcels ranging between 140 and 180 acres in size. The properties are located at 5518 Hay Road, Vacaville in an "A-80" Exclusive Agricultural Zoning District, APN's: 0042-010-360 and 370, and;

WHEREAS, said Zoning Administrator has reviewed the applicant's submittal and staff report of the Department of Resource Management and the Notice of Exemption, and:

WHEREAS, said Zoning Administrator has heard and considered all comments regarding the application at a duly noticed public hearing held on August 21, 2014, which was continued to September 4, 2014, and;

WHEREAS, after due consideration, the said Zoning Administrator has made the following findings in regard to said proposal:

1. The resulting parcels be large enough to support their agricultural use, using the presumption described in Gov. Code Section 51222, is satisfied by the requirement in Section VII.A of the Solano County Uniform Rules and Procedures Governing Agricultural Preserves and Land Conservation Contracts that resulting parcels be at least 41 or 80 acres in size;

The proposed parcels range between 140-180 acres in size; thus, exceeds the minimum acreage requirements and of adequate size and shape for agricultural purposes.

2. The subdivision will not result in residential development not incidental to the commercial agricultural use of the land is satisfied by the presumption described in Section IV. B5 of the Solano County Uniform Rules and Procedures Governing Agricultural Preserves and Land Conservation Contracts.

The subject site is not encumbered by an Agricultural Preserve or Land Conservation Contract.

3. The proposed map is consistent with the Solano County General Plan.

The property is designated Agriculture. This proposal is consistent with the existing Exclusive Agricultural zoning district, allowing for one single family dwelling and one accessory dwelling unit per parcel.

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

The property is designated for Exclusive Agricultural uses, which allows for single family uses. The design of the proposed subdivision, available road access, provisions water well and septic system disposal, and the size of the proposed parcels is consistent with the General Plan.

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

The subdivision design and improvements have been evaluated for drainage, access, septic systems and water supply. Compliance with conditions of approval will ensure that the project is suitable for the proposed density.

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

The subdivision design and improvements have been evaluated for drainage, access, septic systems and water supply. Compliance with conditions of approval will ensure that the project is suitable for the proposed density.

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

The project does not propose a significant impact on the environment.

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

Compliance with the recommended conditions of approval will not cause public health problems.

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

As is evident on the Tentative Map and the Preliminary Title Report, the proposed subdivision will not conflict with any public easements.

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.

The project will not result in the discharge of waste from the proposed subdivision into an existing community sewer system.

11. The property fronts on a public waterway, public river, or public stream, coastline, shoreline, publicly owned lake or publicly owned reservoir, and the proposed subdivision provides, or has available, reasonable public access by fee or easement from a public highway to that portion of the bank of the waterway, river, stream, lake, or reservoir bordering or lying within the proposed subdivision, or to land below the ordinary high-water mark on any bay shoreline within the subdivision; or alternate reasonable public access is available within a reasonable distance from the subdivision.

The subject site does not front on or located nearby any public waterway; therefore, reasonable public access is not required.

12. The proposed subdivision is consistent with a contract entered into pursuant to the California Land Conservation Act of 1965 and the proposed lots to be created from the parent parcel are consistent with the minimum residential building site requirements under the Policy and Uniform Regulations Governing Administration of Agricultural Preserves in Solano County and under Section 66474.4 of the Subdivision Map Act.

The subject site is not encumbered by Agricultural Preserve or Land Conservation Contract.

14. The proposed subdivision is consistent with applicable provisions of the County Hazardous Waste Management Plan.

The project does not propose use of Hazardous Materials.

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 not 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.

16. A Notice of Exemption under CEQA Section 15061.b.3 was prepared as the project qualifies for Section 15061.b.3 in that the project proposes a project which is not significant enough to create effects such as traffic or biological or cultural resource. Implementation of standard County conditions of approval would prevent the project from creating significant effects to the environment.

17. The recordation of a Parcel Map for this subdivision is waived because the subdivision meets of the requirements of Chapter 26 and the Subdivision Map Act for a subdivision by parcel map, and no injury would be done to the public health, safety, or welfare by permitting the subdivision to occur without a field survey.

BE IT THEREFORE RESOLVED, the Zoning Administrator of the County of Solano determines that the project qualifies for a Notice of Exemption pursuant to California Environmental Quality Act prepared for Minor Subdivision Application No. MS 14-02.

BE IT FURTHER RESOLVED, the Zoning Administrator of the County of Solano does hereby ADOPT the Notice of Exemption and APPROVE Minor Subdivision Application No. MS-14-02 subject to the findings and following conditions of approval:

1. The Certificate of Compliance to be filed shall be in substantial compliance with the Tentative Parcel Map labeled "TENTATIVE PARCEL MAP a Division of the East One-half of Section 6 T.5.N, R.1.E M.D.B & M ", dated July 11, 2014 and prepared by Mountain Pacific surveys; on file with the Solano County Planning Services Division, except as modified herein.

2. Prior to recordation of the Certificate of Compliance, subdivider shall submit legal descriptions for Parcel 1 and 2 to the Solano Irrigation District for review and approval; and provide written evidence to the County that the Solano Irrigation District rules and regulations are satisfied.
3. Prior to the sale of Parcel 2, the subdivider shall acquire a 50-foot wide private utility and access easement on APN 0042-010-290 for the purposes of access from Hay Road for Parcel 2.
4. Subdivider shall apply for, secure and abide by the conditions of an encroachment permit for all work within the right of way of Hay Road for any future driveway connections.
5. Subdivider/property owner shall apply for, secure and abide by the conditions of a grading permit for all onsite grading at the time of development.
6. A declaration shall be recorded on the Certificate of Compliance, stating that the soil testing to date will require the use of engineered, alternative type on-site sewage disposal systems, for each of the proposed parcels. Such systems must be operated, monitored, and maintained in accordance with Solano County Code, Chapter 6.4 Sewage Disposal Standards.
7. Prior to any construction or improvements taking place, a Building Permit Application shall first be submitted as per Section 105 of the 2010 California Building Code or the latest edition of the codes enforced at the time of building permit application. **“Any owner or authorized agent who intends to construct, enlarge, alter, repair, move, demolish, or change the occupancy of a building or structure, or to erect, install, enlarge, alter, repair, remove, convert or replace any electrical, gas, mechanical or plumbing system, the installation of which is regulated by this code, or to cause any such work to be done, shall first make application to the building official and obtain the required permit.”**
8. Comply with the Vacaville Fire Protection District rules and regulations.

I hereby certify that the foregoing resolution was adopted at the regular meeting of the Solano County Zoning Administrator on September 4, 2014.

BILL EMLLEN, DIRECTOR
RESOURCE MANAGEMENT

Michael Yankovich
Planning Program Manager