

Solano County

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



Agenda - Final

Thursday, February 16, 2017

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

There are no minutes available for approval at this time.

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 17-008](#) NOMINATION and ELECTION of Chair and Vice-Chair for the ensuing year
Attachments: [Planning Commission appointment & attendance report](#)

- 2 [PC 17-007](#) Public hearing to consider Lot Line Adjustment Application No. LLA-16-03 of Cordelia Winery LLC and Ryan German & Michael and Janis German to reconfigure the common parcel boundary between two adjacent lots located at 4991 Suisun Valley Road, 2 miles northwest of the City of Fairfield within the Suisun Valley Agriculture "A-SV-20" Zoning District; APNs 0149-060-030, 05, 06, 08, and 09. The two properties are entered into Williamson Act Contract No. 671. (Project Planner: Eric Wilberg)
Attachments: [A - Draft Resolution](#)
 [B - Assessors Parcel Map](#)
 [C - Tentative Map](#)

ANNOUNCEMENTS AND REPORTS

ADJOURN

To the Planning Commission meeting of March 2, 2017 at 7:00 P.M., Board Chambers, 675 Texas Street, Fairfield, CA

**SOLANO COUNTY PLANNING COMMISSION
APPOINTMENT AND ATTENDANCE REPORT**

February 16, 2017

* * * * *

<u>NAME</u>	<u>DIST. NO.</u>	<u>APPT. DATE EXPIRATION DATE</u>	<u>PERCENT OF MEETING ATTENDANCE *</u>	
			<u>2016</u>	<u>2015</u>
JOHNNY WALKER	1	February 19, 2013 Jan. 31, 2017	100% (9/9)	93% (13/14)
RAMON CASTELLBLANCH	2	August 25, 2015 Jan. 31, 2017	44% (4/9)	83% (5/6)
KELLY RHOADS-POSTON	3	Feb. 2, 2010 Jan. 31, 2019	89% (8/9)	86% (12/14)
KAY CAYLER	4	Feb. 22, 2011 Jan. 31, 2019	78% (7/9)	86% (12/14)
GIL HOLLINGSWORTH	5	August 5, 2014 Jan. 31, 2017	100% (9/9)	93% (13/14)

* Meetings attended / meetings held
(February 4, 2016 - February 2, 2017)

North: A-SV-20 / vineyards
South: A-SV-20 / vineyards
East: A-SV-20 / Suisun Valley School
West: A-20 / open space

A. Setting

The subject site is situated in the northern part of the Suisun Valley approximately 2 miles northwest of the City of Fairfield. The site is comprised of two legal lots, made up of five Assessor Parcels totaling 80.79 acres. All of the parcels are relatively flat, predominantly prime agricultural farm land, planted in vineyards. Lot A (German) is made up of APN's 0149-060-030, 06, and 09 totaling 56.90 acres. Existing development on Lot A is located at the western extent of the lot near Suisun Creek and consists of a residence and various agricultural accessory structures (barns and sheds). Lot B (Cordelia Winery LLC) is made up of APN's 0149-060-050 and 08 totaling 23.89 acres. Existing development on Lot B is located along the northeast boundary of the lot and consists of multiple pole barns, warehouses, and agricultural processing structures. The site is the location of a historic fruit drying and agricultural processing yard which was permitted in the 1960's via Use Permits R-211, R-221, and R-447. Surrounding properties planted in vineyards border the site to the north and south. The site is bound to the east by Suisun Valley Road and to the west by Suisun Creek.

B. Project Description:

The proposal involves adjusting the common property line between the German lot and the Cordelia Winery LLC lot. The resulting configuration will transfer 5.16 acres of land under vines from Lot A to Lot B. In addition, 0.10 acres of interior access road will transfer from Lot B to Lot A. The table below details lot information, parcel ownership, and acreages.

LOT	APN	EXISTING ACREAGE	PROPOSED ACREAGE	NET TRANSFER
A (German)	0149-060-030 0149-060-060 0149-060-090	56.90 ac	51.84 ac	- 5.06 ac
B (Cordelia Winery)	0149-060-050 0149-060-080	23.89 ac	28.92 ac	+ 5.03 ac

Access

The lot line adjustment does not propose changes to the access routes to the existing parcels. Lot B has frontage along Suisun Valley Road with a developed encroachment. Lot A is also afforded access to Suisun Valley Road via existing 30 foot roadway easement along the northern boundary of AP N 0149-060-030.

Utilities

Lot A is developed with a residence and associated domestic water well and private septic system. Lot B is currently undeveloped with water and septic. Both lots are located within the Solano Irrigation District (S.I.D) boundary, which provides irrigation water to the properties. Per S.I.D records, there are three (3) existing turnouts which serve the five (5) Assessor's Parcels. Lot B will require an easement through Lot A for the conveyance of irrigation water. The easement shall be recorded on the properties concurrently with the recordation of the Certificate of Compliance. In addition, there is a water line crossing through the lots and associated water service agreement between Suisun-Solano Water Authority and the land owners.

B. Land Use Consistency:

General Plan and Zoning

Figure LU-1 of the Solano County General Plan designates the project site Agriculture. In addition, the entire site is located within the Suisun Valley Agriculture "A-SV-20" Zoning District. As seen on the General Plan/Zoning Consistency table (Table LU-7, General Plan) the A-SV-20 district is consistent with the Agricultural General Plan designation.

The existing residential development and agricultural use of the property, along with proposed parcel sizes (exceeding 20 acres) are consistent with the General Plan and A-SV-20 Zoning District regulations. Existing development on-site will continue to maintain minimum set back requirements to property lines.

C. Subdivision Ordinance Consistency:

The applicant has supplied adequate information to accompany the lot line adjustment application per County Subdivision Ordinance Section 26-41.1. The proposal is consistent with allowable land uses and development standards of the A-SV-20 Zoning District. The proposal involves the reconfiguration of two legal lots and no new lots would be created.

In order to finalize the lot line adjustment the applicants shall secure signed Tax Certificate letters from the Solano County Tax Collector. Details regarding the Tax Certificate process are described in Condition of Approval No. 2. This step also enables the Certificate of Compliance process which ultimately memorializes an approved lot line adjustment.

D. Land Conservation Contract Consistency:

On May 5, 1970 the two lots were entered into a Land Conservation Contract (Williamson Act Contract No. 671). The Solano County Uniform Rules and Procedures Governing Agricultural Preserves and Land Conservation Contracts stipulates the procedure for processing lot line adjustments for contracted land, outlines specific findings, and establishes minimum parcel size.

The Planning Commission is the hearing authority for this application because the lot line adjustment involves parcels under a single land conservation contract and the adjustment would not alter the outer perimeter of the contract. Replacement contracts are not required.

A majority of the subject site is identified as Prime Farmland on the latest State Department of Conservation Farmland map. A portion at the northeast corner of APN 0149-060-050 is identified as Built-Up Land, the site of the historic processing yard. The Williamson Act Rules and Procedures establish a minimum parcel size of 10 acres for Prime Farmland. Proposed Lot A (51.84 acres) and Lot B (28.92 acres) will continue to exceed the 10 acre minimum parcel size for Prime Farmland

The continued commercial agricultural use and existing residential development on-site are consistent with State and County Land Conservation Contract requirements.

FINDINGS:

1. The adjustment is consistent with applicable building ordinances and no conforming lot will be made nonconforming with applicable zoning requirements, and the adjustment will not reduce the aggregate area of all affected lots which do not meet the minimum area requirements of their zoning designations, pursuant to Section 66412(d) of the Subdivision Map Act.

No structures are proposed as part of this application and no conforming lot will be made nonconforming in terms of A-SV-20 Zoning District development standards or minimum parcel size.

2. Approval of the lot line adjustment will not create a greater number of parcels than originally

existed.

The lot line adjustment reconfigures two (2) existing legal parcels and will not create any new parcels.

3. **A letter signed by the Solano County Tax Collector, stating that there are no liens against the properties or any part thereof for unpaid State, County, municipal or local taxes or special assessments collected as taxes, except taxes or special assessments not yet payable, and stating that security has been filed with the Clerk of the Board of Supervisors for the estimated taxes which are a lien on the property but not yet payable for taxes and special assessments, and stating that security satisfy the requirements of Section 66493 of the Subdivision Map Act will be provided.**

A signed Tax Certificate shall be obtained from the County Tax Collector. This document shall be provided by the applicant to the Planning Services Division. The Tax Certificate shall be recorded as part of the Certificate of Compliance package.

WILLIAMSON ACT FINDINGS per GOVERNMENT CODE SECTION 5127(a)

4. **The new contract or contracts would enforceably restrict the adjusted boundaries of the parcel for an initial term for at least as long as the unexpired term of the rescinded contract or contracts, but for not less than 10 years.**

The terms of the existing contract will remain unchanged. The contract will remain in effect for a minimum of ten (10) years until such time as a non-renewal or cancellation application is initiated.

5. **There is no net decrease in the amount of the acreage restricted. In cases where the parcels involved in a lot line adjustment are both subject to contracts rescinded pursuant to this section, this finding will be satisfied if the aggregate acreage of the land restricted by the new contracts is at least as great as the aggregate acreage restricted by the rescinded contracts.**

The amount of land under restricted contract will not change.

6. **At least 90 percent of the land under the former contract or contracts remains under the new contract or contracts.**

The entire acreage under contract will remain the same.

7. **After the lot line adjustment, the parcels of land subject to contract will be large enough to sustain their agricultural use.**

Lot A (51.84 acres) and Lot B (28.92 acres) exceed the minimum parcel size of 10 acres required for Prime Farmland.

8. **The lot line adjustment would not compromise the long-term agricultural productivity of the parcel or other agricultural lands subject to a contract or contracts.**

The existing agricultural land use will remain unchanged and would not compromise the long-term agricultural productivity of the parcels or other agricultural lands.

9. **The lot line adjustment is not likely to result in the removal of adjacent land from agricultural use.**

The lot line adjustment will not affect adjacent agricultural lands.

10. **The lot line adjustment does not result in a greater number of developable parcels than existed**

prior to the adjustment, or an adjusted lot that is inconsistent with the general plan.

There are two (2) existing lots, and the lot line adjustment will not create any new parcels. The property and existing land use is consistent with the General Plan.

SUGGESTED FINDINGS

11. The proposed lot line adjustment is a ministerial action and is therefore not subject to the provisions of the California Environmental Quality Act pursuant to CEQA Guidelines Section 21080 (b) (1)].

CONDITIONS OF APPROVAL:

1. The Lot Line Adjustment shall be established in compliance with the application materials and tentative lot line adjustment map filed for application No. LLA-16-03, dated January 24, 2017 prepared by Cinquini & Passarino, Inc. Land Surveying, on file with the Planning Services Division and as approved by the Planning Commission.
2. A Certificate of Compliance demonstrating that the subject lot line has been adjusted in accord with the State of California Subdivision Map Act and Solano County Subdivision Ordinance regulations shall be recorded with the Solano County Recorder's Office within one (1) year of the tentative approval by the Planning Commission. Failure to record a Certificate of Compliance within one year of Hearing Authority approval shall render the Lot Line Adjustment null and void.

Submittal of additional documents is required by the applicant in order to obtain a Certificate of Compliance from the Planning Division. The applicant shall initiate this step by submitting written legal descriptions of the parcels as adjusted to the Planning Services Division. The legal descriptions shall be prepared by a registered land surveyor or civil engineer licensed to survey in the State of California and each page of the legal descriptions must be signed and sealed by the professional preparing the descriptions. Upon review and approval of the legal descriptions by the Planning Division, a Certificate of Compliance will be prepared and forwarded by the Planning Services Division to the Title Company/Escrow Officer identified on the Lot line Adjustment application, with instruction to the Title Company/Escrow Officer to prepare new grant deeds reflecting the property boundaries as adjusted.

In order to obtain a Certificate of Compliance package that is ready for recordation, the permittee shall submit the following documents to their Title Company to complete the Certificate of Compliance package:

- a) Grant Deed(s) that convey the adjustment area(s) between the parcel owners.
- b) Any conveyance documents that may be required for the relocation and/or extensions of existing utilities and easements.
- c) A statement, certificate, or security indicating there are no liens against the properties for any unpaid taxes or special assessments. Property owners shall work with their representative title company and contact the Solano County Assessor's Mapping Department to initiate the 'Tax Certificate' process. Fees are collected by the Assessor's Office to begin this process.

Once all of the necessary documents have been submitted to the Planning Division, a Certificate of Compliance package will be prepared and transmitted to the applicant's title company with instruction for recordation with the Solano County Recorder, thus completing the Lot Line Adjustment approval process.

3. Per Solano Irrigation District's Rules and Regulations, the subdivider is required to provide water service to all newly created parcels. Each lot shall receive access to an existing service. Lot B requires an easement through Lot A for the conveyance of irrigation water. The easement shall be recorded

concurrently with the Certificate of Compliance.

ATTACHMENTS:

- A - Draft Resolution
- B - Assessor's Parcel Map
- C - Tentative Lot Line Adjustment Map

SOLANO COUNTY PLANNING COMMISSION

RESOLUTION NO. XX

WHEREAS, the Solano County Planning Commission has considered Lot Line Adjustment Application No. LLA-16-03 of **Cordelia Winery LLC and Ryan German & Michael and Janis German** to reconfigure the common parcel boundary between two adjacent lots located at 4991 Suisun Valley Road, 2 miles northwest of the City of Fairfield within the Suisun Valley Agriculture "A-SV-20" Zoning District; APNs 0149-060-030, 05, 06, 08, and 09, and;

WHEREAS, the Commission has reviewed the report of the Department of Resource Management and heard testimony relative to the subject application at the duly noticed public hearing held on February 16, 2017, and;

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

1. **The adjustment is consistent with applicable building ordinances and no conforming lot will be made nonconforming with applicable zoning requirements, and the adjustment will not reduce the aggregate area of all affected lots which do not meet the minimum area requirements of their zoning designations, pursuant to Section 66412(d) of the Subdivision Map Act.**

No structures are proposed as part of this application and no conforming lot will be made nonconforming in terms of A-SV-20 Zoning District development standards or minimum parcel size.

2. **Approval of the lot line adjustment will not create a greater number of parcels than originally existed.**

The lot line adjustment reconfigures two (2) existing legal parcels and will not create any new parcels.

3. **A letter signed by the Solano County Tax Collector, stating that there are no liens against the properties or any part thereof for unpaid State, County, municipal or local taxes or special assessments collected as taxes, except taxes or special assessments not yet payable, and stating that security has been filed with the Clerk of the Board of Supervisors for the estimated taxes which are a lien on the property but not yet payable for taxes and special assessments, and stating that security satisfy the requirements of Section 66493 of the Subdivision Map Act will be provided.**

A signed Tax Certificate shall be obtained from the County Tax Collector. This document shall be provided by the applicant to the Planning Services Division. The Tax Certificate shall be recorded as part of the Certificate of Compliance package.

WILLIAMSON ACT FINDINGS per GOVERNMENT CODE SECTION 5127(a)

4. **The new contract or contracts would enforceably restrict the adjusted boundaries of the parcel for an initial term for at least as long as the unexpired term of the rescinded contract or contracts, but for not less than 10 years.**

The terms of the existing contract will remain unchanged. The contract will remain in effect for a minimum of ten (10) years until such time as a non-renewal or cancellation application is initiated.

5. **There is no net decrease in the amount of the acreage restricted. In cases where the parcels involved in a lot line adjustment are both subject to contracts rescinded pursuant to this section, this finding will be satisfied if the aggregate acreage of the land restricted by the new contracts is at least as great as the aggregate acreage restricted by the rescinded contracts.**

The amount of land under restricted contract will not change.

6. **At least 90 percent of the land under the former contract or contracts remains under the new contract or contracts.**

The entire acreage under contract will remain the same.

7. **After the lot line adjustment, the parcels of land subject to contract will be large enough to sustain their agricultural use.**

Lot A (51.84 acres) and Lot B (28.92 acres) exceed the minimum parcel size of 10 acres required for Prime Farmland.

8. **The lot line adjustment would not compromise the long-term agricultural productivity of the parcel or other agricultural lands subject to a contract or contracts.**

The existing agricultural land use will remain unchanged and would not compromise the long-term agricultural productivity of the parcels or other agricultural lands.

9. **The lot line adjustment is not likely to result in the removal of adjacent land from agricultural use.**

The lot line adjustment will not affect adjacent agricultural lands.

10. **The lot line adjustment does not result in a greater number of developable parcels than existed prior to the adjustment, or an adjusted lot that is inconsistent with the general plan.**

There are two (2) existing lots, and the lot line adjustment will not create any new parcels. The property and existing land use is consistent with the General Plan.

11. The proposed lot line adjustment is a ministerial action and is therefore not subject to the provisions of the California Environmental Quality Act pursuant to CEQA Guidelines Section 21080 (b) (1)].

BE IT, THEREFORE, RESOLVED, that the Planning Commission of the County of Solano does hereby approve Lot Line Adjustment Application No. LLA-16-03 subject to the following recommended conditions of approval:

1. The Lot Line Adjustment shall be established in compliance with the application materials and tentative lot line adjustment map filed for application No. LLA-16-03, dated January 24, 2017 prepared by Cinquini & Passarino, Inc. Land Surveying, on file with the Planning Services Division and as approved by the Planning Commission.
2. A Certificate of Compliance demonstrating that the subject lot line has been adjusted in accord with the State of California Subdivision Map Act and Solano County Subdivision Ordinance regulations shall be recorded with the Solano County Recorder's Office within one (1) year of the tentative approval by the Planning Commission. Failure to record a

Certificate of Compliance within one year of Hearing Authority approval shall render the Lot Line Adjustment null and void.

Submittal of additional documents is required by the applicant in order to obtain a Certificate of Compliance from the Planning Division. The applicant shall initiate this step by submitting written legal descriptions of the parcels as adjusted to the Planning Services Division. The legal descriptions shall be prepared by a registered land surveyor or civil engineer licensed to survey in the State of California and each page of the legal descriptions must be signed and sealed by the professional preparing the descriptions. Upon review and approval of the legal descriptions by the Planning Division, a Certificate of Compliance will be prepared and forwarded by the Planning Services Division to the Title Company/Escrow Officer identified on the Lot line Adjustment application, with instruction to the Title Company/Escrow Officer to prepare new grant deeds reflecting the property boundaries as adjusted.

In order to obtain a Certificate of Compliance package that is ready for recordation, the permittee shall submit the following documents to their Title Company to complete the Certificate of Compliance package:

- a) Grant Deed(s) that convey the adjustment area(s) between the parcel owners.
- b) Any conveyance documents that may be required for the relocation and/or extensions of existing utilities and easements.
- c) A statement, certificate, or security indicating there are no liens against the properties for any unpaid taxes or special assessments. Property owners shall work with their representative title company and contact the Solano County Assessor's Mapping Department to initiate the 'Tax Certificate' process. Fees are collected by the Assessor's Office to begin this process.

Once all of the necessary documents have been submitted to the Planning Division, a Certificate of Compliance package will be prepared and transmitted to the applicant's title company with instruction for recordation with the Solano County Recorder, thus completing the Lot Line Adjustment approval process.

- 3. Per Solano Irrigation District's Rules and Regulations, the subdivider is required to provide water service to all newly created parcels. Each lot shall receive access to an existing service. Lot B requires an easement through Lot A for the conveyance of irrigation water. The easement shall be recorded concurrently with the Certificate of Compliance.

I hereby certify that the foregoing resolution was adopted at the regular meeting of the Solano County Planning Commission on February 16, 2017 by the following vote:

AYES:	Commissioners	_____

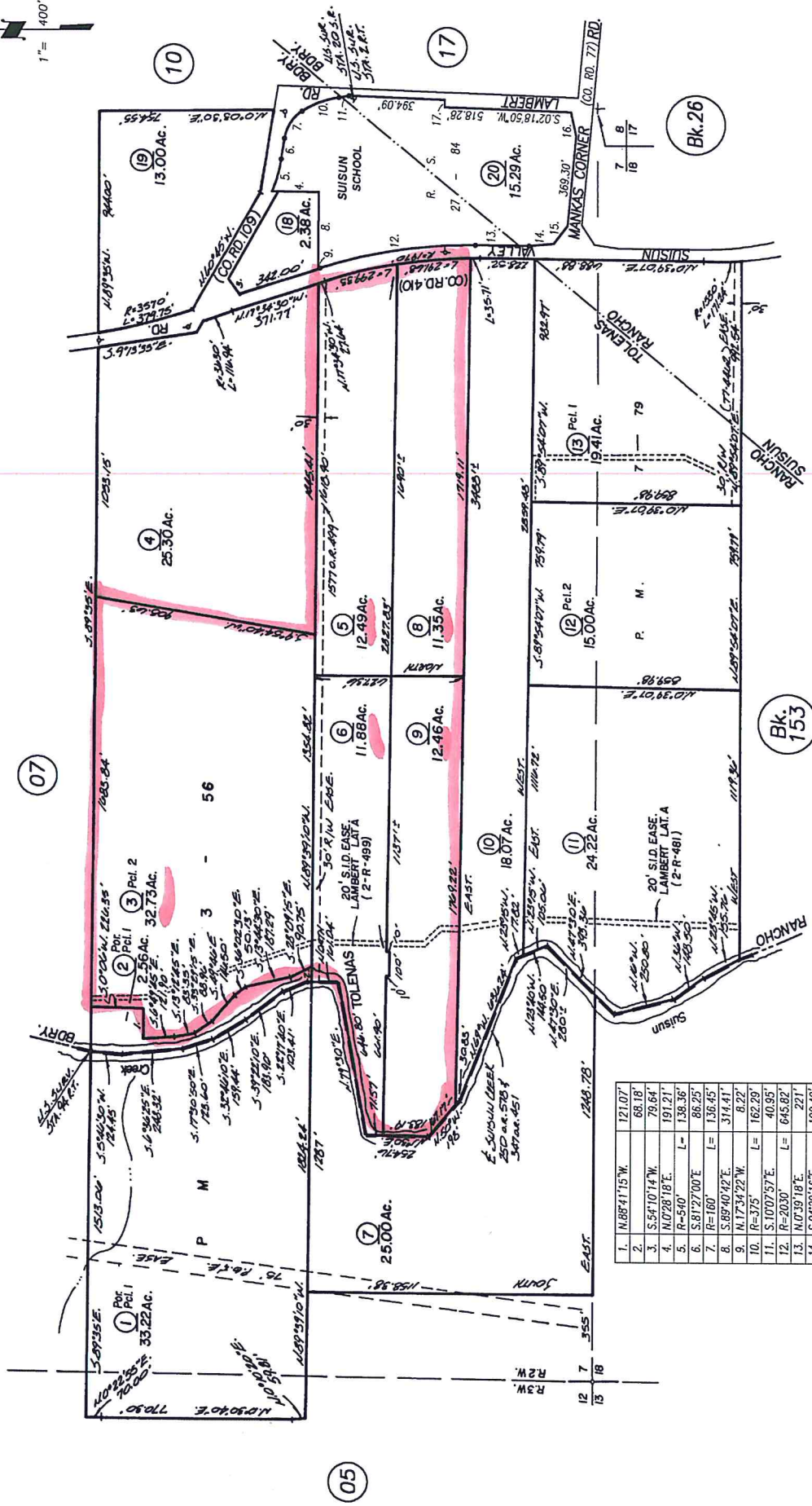
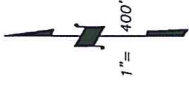
NOES:	Commissioners	_____
EXCUSED:	Commissioners	_____

By: _____
Bill Emlen, Secretary

149-06

Tax Area Code
60060
60068

POR. LOT. 37, SUISUN RANCHO & POR. LOT. 38, RANCHO TOLENAS
POR. SEC. 7&18, T.5N., R.2W., M.D.B.&M.
POR. SEC. 12, T.5N., R.3W., M.D.B.&M.



1.	N. 88°41'15" W.	121.07'
2.	S. 54°10'14" W.	79.64'
3.	N. 07°28'18" E.	191.21'
4.	R=340	L=138.36'
5.	S. 81°27'00" E.	86.25'
6.	R=160'	L=136.45'
7.	S. 89°40'42" E.	314.41'
8.	N. 17°34'22" W.	8.22'
9.	R=375'	L=162.29'
10.	S. 10°07'57" E.	40.95'
11.	R=2030'	L=645.82'
12.	N. 0°39'18" E.	221'
13.	S. 04°29'16" E.	100.40'
14.	S. 52°08'49" E.	93.81'
15.	N. 77°55'54" E.	96.92'
16.	N. 89°40'42" W.	30.02'
17.		

NOTE: This map is for assessment purposes only. It is not intended to define legal boundary rights or imply compliance with land division laws.

060-20 (Lu)	7-25-13	Cr
060-14 to 17 (RS)	2-06-07	DV
060-5,6,8,9 Chg.	10-18-95	Pg
AC		
REVISION	DATE	BY

Assessor's Block Numbers Shown in Ellipses, Assessor's Parcel Numbers Shown in Circles

Assessor's Map Bk. 149 Pg. 06
County of Solano, Calif.

14-15

