..title

Public Hearing to consider Amendment No. 1 to Policy Plan Overlay No. PP-17-01 of Canon Partners, LLC to modify the site development plan, expand the plan boundaries, and modify the list of land uses of an existing policy plan overlay district, located at 5204 North Gate Road, adjacent to the City of Fairfield; APNs 0166-040-060 and 0166-050-100. An Initial Study and Mitigated Negative Declaration were adopted November 13, 2018 for the project pursuant to the California Environmental Quality Act. The proposal does not affect changes to environmental resources and no additional environmental review is required pursuant to CEQA.

.body				
Published Notice Required?	Yes _	Χ	_ No _	
Public Hearing Required?	Yes	_X_	No	
• .	_			

RECOMMENDATION:

The Department of Resource Management recommends that the Planning Commission conduct a public hearing to consider Amendment No. 1 to Policy Plan Overlay District PP-17-01 and forward a recommendation of approval to the Board of Supervisors to adopt an Ordinance applying modifications to the site development plan and list of land uses.

EXECUTIVE SUMMARY:

The proposal consists of modifying the site development plan and list of land uses for an existing policy plan overlay district. Modification to the site plan includes the removal of land use specific boundaries within the PPO to allow flexibility during the use permit process for siting particular uses. Development plan boundaries will expand by six acres to allow for the relocation of potential leachfield at the northeast corner of the plan. Revisions to the list of land uses include eliminating uses which are deemed not compatible with the Transitional – Industrial nature of the overlay district.

ENVIRONMENTAL ANALYSIS:

An Initial Study and Mitigated Negative Declaration "IS/MND" were adopted November 13, 2018 for the project pursuant to the California Environmental Quality Act. The proposal does not affect changes to the environment and no additional environmental review is required pursuant to CEQA.

PROPERTY INFORMATION:

A. Applicant/Owner:

Canon Partners, LLC 5204 North Gate Road Fairfield, CA 94535

B. General Plan Land Use Designation/Zoning:

General Plan: Agricultural/Travis Reserve Overlay Zoning: Exclusive Agricultural "A-80"/Policy Plan Overlay PP-17-01

C. Existing Use: Construction Debris Recycling Facility, grazing

D. Adjacent Zoning and Uses:

North: Exclusive Agriculture "A-40" – Grazing
South: Exclusive Agriculture "A-80" – Grazing
East: Exclusive Agriculture "A-80" – Grazing
West: Urban Industrial (City of Fairfield) – Grazing

BACKGROUND:

On November 13, 2018 the Solano County Board of Supervisors adopted Ordinance No. 2018-1801 to amend Chapter 28 of the Solano County Code to rezone 83.5 acres located east of the intersection of North Gate Road and Canon Road by adding Policy Plan Overlay District PP-17-01 to the property. The objective of the PPO is to provide for the relocation of existing businesses from the Fairfield Train Station development area to the subject site, on a temporary basis, until businesses have the opportunity to transition to a permanent location within the City of Fairfield on the adjacent parcels to the west.

The PPO is established on 83.5 acres of the subject property. The property is comprised of two Assessor's Parcels totaling 302 acres. The balance of the property that is not subject to the overlay district retains the underlying Exclusive Agriculture "A-80" Zoning.

On February 4, 2016 the Planning Commission granted Use Permit U-15-04 to Go Green Asphalt, Inc. to construct and operate a recycling yard. On September 6, 2018 the Planning Commission granted Minor Revision 1 to convert the Go Green facility into a Type A Inert Debris Recycling Center which operates on 47 acres within the PPO.

On September 6, 2018 the Planning Commission granted Use Permit U-17-03 to Bubbling Well Pet Memorial Park, Inc. to authorize an animal crematorium within the PPO boundaries. The facility has not been constructed.

On November 5, 2020 the Zoning Administrator granted Use Permit U-19-05 to Canon Partners, LLC to establish a 10-acre storage yard as a Transitional Commercial land use within the PPO boundaries. The facility has not been constructed.

ANALYSIS:

ENVIRONMENTAL SETTING:

The subject property is relatively flat, exhibiting slopes of less than six percent. The site generally slopes downward to the east with elevations of 130 feet above sea level along the western property line, then dropping to 95 feet ASL along the eastern lot line. An agricultural buffer has been developed along the northern and western extent of the policy plan overlay boundaries. The buffer area includes soil infill to slope away from constructed berms out towards the natural grade of the lot. An orchard is intended to be planted within these areas.

Surrounding properties exhibit characteristics similar to those of the subject site. The parcels are relatively flat and utilized agriculturally for pastureland and grazing. The State Department of Water Resources operates a water tank as part of the North Bay Aqueduct project 500 feet south of the site. The nearest residential development is approximately one mile south at the military base. Properties to the west of the subject site are located within Fairfield city limits. The land to the west is currently undeveloped; however, the Fairfield Train Station Specific Plan designates this area for various industrial, manufacturing, and commercial service land uses.

B. Project Description

As stated, the intent of the Amendment is to modify the site development plan and list of land uses. Modification to the site plan includes the removal of land use specific boundaries within the PPO to allow flexibility during the use permit process for siting particular uses. Revisions to the list of land uses include eliminating land uses which are deemed not compatible with the Transitional – Industrial nature of the overlay district such as Animal Facilities and Operations, Dwellings, and Public Assembly uses.

There are no proposed changes to infrastructure including potable water, septic system, irrigation water, fire protection, access, drainage, or stormwater retention. An area devoted to siting the leach field has been relocated to the northeast corner of the PPO, expanding the plan boundaries by six acres.

There are no proposed changes to the purpose, term, site development, and performance standards related to the PPO.

C. General Plan and Zoning Consistency

The project is located within an area designated Agriculture by the Solano County General Plan Land Use Diagram. The project is also located within the Travis Reserve Area which provides for future expansion of Travis Air Force Base and support facilities for the base. The general plan designates the Travis Reserve for the "ongoing agricultural and open space uses" within the reserve area.

The property is situated within the Municipal Service Area of the City of Fairfield. Upon annexation, land uses on the property would be subject to the zoning and general plan designations of the City of Fairfield.

The subject site is zoned Exclusive Agriculture "A-80". As seen on the General Plan/Zoning Consistency Table (Table LU-7 General Plan), the zoning is consistent with the general plan designation. In addition, transitional industrial and commercial land uses are permissible within the Exclusive Agriculture and overlay zoning district.

D. Agency Review

As part of the Department of Resource Management development review process, the application materials have been reviewed by various County Departments, as well as Local and Regional Agencies. The following entities may have jurisdiction over the project:

Local Agencies

City of Fairfield
Solano County Department of Resource Management
Solano Irrigation District
Vaca-Elmira Fire District

Regional and State Agencies

Air Port Land Use Commission - Solano County
Bay Area Air Quality Management District
Central Valley Regional Water Quality Control Board
State Department of Water Resources

SOLANO COUNTY PLANNING COMMISSION RESOLUTION NO. 4690

RESOLUTION RECOMMENDING APPROVAL OF POLICY PLAN OVERLAY PP-17-01 AMENDMENT NO. 1, TO THE SOLANO COUNTY BOARD OF SUPERVISORS

WHEREAS, the Solano County Planning Commission, after proper notice, conducted a public hearing on May 6, 2021, related to the Canon Partners, LLC project; and

WHEREAS, after considering any comments received during the public review process on that document, and all public testimony offered at the hearing, the County Planning Commission has determined that a Mitigated Negative Declaration has been adopted November 13, 2018 which reflects the County of Solano's independent judgement and analysis and that there is no affect to the physical environment by the proposed amendment; and

WHEREAS, after public testimony and due deliberation, the Solano County Planning Commission has determined that the proposed amendment is appropriate and desirable and is consistent with the General Plan and underlying zoning, as amended.

RESOLVED, that the Solano County Planning Commission does hereby recommend approval of the proposed policy plan overlay ordinance including the Land Use and Development Standards and Policy Plan Overlay Development Plan attached hereto as Exhibit One and Exhibit Two.

* * * * * * * * * * * * * * * * * * *

		n was adopted at the regular meeting of the Solano 21 by the following vote:
AYES:	Commissioners	
NOES:	Commissioners	
ABSTAIN:	Commissioners	
ABSENT:	Commissioners	
Б		

Terry Schmidtbauer, Secretary

Exhibit One of Attachment A Planning Commission Resolution No. 4690

Canon Partners LLC Policy Plan Overlay District PP-17-01 AMENDMENT No. 1 Land Use and Development Standards

Statement of Purpose

The purpose and intent of this Policy Plan Overlay District (PP-17-01) is to provide for the establishment of general and specific site development standards for the limited term use of the project site during the construction and relocation of land uses within the Fairfield Train Station Specific Plan area. Under this policy plan overlay, development of the property shown on the Site Development Plan is consistent with the General Plan and the underlying Exclusive Agriculture Zoning District.

Limited Term

A use permit shall be required whenever development is proposed within the policy plan overlay development plan area. Any use permit granted within the policy plan overlay shall be issued for a fixed term, not to exceed ten (10) years, commencing on the effective date of PP-17-01. One extension for up to ten years may be granted if, at the time of the extension request, the City of Fairfield has approved the extension of municipal services to the designated Fairfield Train Station Specific Plan area just west of the project site within the City of Fairfield. The provision of municipal services to Fairfield Train Station Specific Plan area would allow for the relocation of permitted uses from within the policy plan overlay area.

Allowed Uses and Permit Requirements

Table 28.68.17-01 identifies the land uses allowed within the policy plan overlay and the land use permit required to establish each use. In addition to the land use permit required by Table 28.68.17-01, special requirements may also apply to certain uses.

Land Use Regulations

Where the last column in Table 28.68.17-01 (Land Use Regulations) includes a section number, e.g. 28.71.20(A), the zoning regulations in the referenced section apply to the use. Where the last column includes a chapter number, e.g. Chapter 13.6, the regulations in the referenced Solano County Code apply to the use. Provisions in other sections of this Zoning Ordinance may also apply.

Prohibited Uses

All uses not specifically identified herein as permitted uses, accessory, or conditional uses are prohibited within the area shown on the Development Plan.

Site Development and Other Standards

All uses shall comply with the provisions of Article IV, Section 28-90 Site Development and Other Standards which includes standards for parking, signs and other project elements.

Architectural Review

Architectural Approval may be required for certain uses in compliance with Section 28.102 (Architectural Approval).

Performance Standards

Limitations - The construction, occupancy, and use of proposed buildings and surrounding lease areas shall be in accord with the plans and information submitted with Policy Plan Overlay application PP-17-01 and as approved by the Solano County Board of Supervisors.

Prevention of Nuisances - The permittee shall take such measures as may be necessary or as may be required by the County to prevent offensive noise, lighting, dust, or other impacts which constitute a hazard or nuisance to surrounding property.

Lighting and Glare - All lighting shall be shielded to prevent any light spillover onto surrounding properties. A lighting plan providing the location, light intensity and direction, construction and materials shall be submitted by the permittee prior to building permit issuances.

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.

Municipal Services - No municipal services may be extended to the subject property covered under this overlay.

Fencing - All fencing shall be maintained plumb, level, and in a structurally sound condition.

Potable Water Requirements - Per Health and Safety Code section 116275, a Public Water System permit from the State of California Water Board, Division of Drinking Water shall be obtained and maintained valid, including all operating, monitoring, reporting and notification requirements for a Public Water System shall be met. The responsibility for providing potable water to the property, which includes obtaining and maintaining compliance with the permit conditions, lies with the property owner.

The initial phase of the project includes the Bubbling Well facility, which, will derive its water supply from an on-site water well and is not considered a state regulated Public Water System. Therefore, at a minimum, the onsite water supply shall meet the same requirements as those for a State Small Water System HSC § 116275 (n), regardless of the number of connections.

This requires obtaining an annual County State Small Water System permit (CCR Title 22 §64211), and monitoring the water supply per CCR Title 22 § 64212 and 64213) for constituents and reporting test results to the Solano County Environmental Health Division at the frequency required for a State Small Water System. If there are less than 5 service connections, then coliform testing only needs to be performed annually. In the event samples do not meet drinking water standards, Environmental Health Division requires disinfection procedures and more frequent sample testing.

Environmental Health shall only permit one State Small Water System on the legal lot. Environmental Health will require a water infrastructure design plan upon initial application for the State Small Water System permit that shows how all of the business lots will be connected to the

water system. Multiple State Small Water System permits can be issued, if at such a time subdivision of the property occurs, creating separate legal lots.

As this is considered a temporary Policy Plan Overlay, Environmental Health shall require a post closure plan upon initial application for the State Small Water System permit. The post closure plan shall include a description of how the water infrastructure will be installed, maintained, and tracked to ensure that upon expiration of the Policy Plan Overlay all remnants of the water system infrastructure can be removed from the ground to allow for the return of the parcel to agricultural land.

Once the service population exceeds the threshold of serving 25 or more people for 60 or more days of the year, or the number of water service connections exceeds 14, the property shall obtain and maintain a Public Water System permit from the Division of Drinking Water.

The application shall be submitted and approved and all required monitoring and testing shall be conducted prior to final inspection from the Building Division.

The permittee shall certify the number of employees and customers/visitors using the water supply and the number of connections attached to the water supply to the Environmental Health Division on an annual basis.

The owner of the water supply system shall provide sample results for other constituents as required by the Environmental Health Services Division within 30 days of a written directive to provide such results.

Any cost incurred by the Environmental Health Division above that recovered through any annual permit fee for work performed associated with the water supply shall be paid at the current hourly rate for Environmental Health Division within 30 days of invoice.

Septic System Requirements -The design and specification of the septic system shall include plans that show the proposed system detail and the placement of the leachfield in the area tested and identified for leachfield construction.

The site testing and an on-site sewage disposal system design shall be prepared by a Professional Civil Engineer, Certified Engineering Geologist, or a Registered Environmental Health Specialist. The designer shall certify and stamp the design prior to approval of the on-site sewage disposal system permit.

The onsite sewage disposal system shall not serve more than one parcel. Solano County Code Chapter 6.4 does not apply to a Community Sewage Disposal System. A Community Sewage Disposal System is defined in Chapter 6.4 as a system that accepts sewage from two or more separate lots.

Septic system design for capacity greater than 10,000 gallons per day shall require permitting through the State Water Board.

Fire Protection Requirements - An onsite fire protection system for the proposed buildings shall be designed, installed, and maintained by the permittee, including provision for the adequate storage of water for fire suppression purposes. The permittee shall hire a qualified fire prevention engineer to prepare a fire protection plan for the property which shall be approved by the Fire

Protection District and the County of Solano prior to building permit issuances.

Dust Control - The permittee shall implement a plan for dust control which shall include, at a minimum, the following items:

- a. All material stockpiled on site shall be sufficiently watered to prevent fugitive dust from leaving property boundaries and causing a public nuisance. Watering shall occur at least once a day with complete site coverage, preferably in the mid-morning hours.
- b. All on site areas with vehicle traffic shall be watered periodically or have dust palliatives applied for stabilization of dust emissions.
- c. All trucks hauling dirt, sand, aggregates or other loose materials shall be covered or shall maintain at least two feet of freeboard (i.e. minimum vertical distance between top of load and trailer).

Site Appearance - The permittee shall maintain the project site in a neat and orderly manner and kept free of accumulated debris or junk.

Drainage Improvements - The permittee shall furnish a hydrologic study prepared by a licensed civil engineer to demonstrate that permanent storm drain facilities can be designed and constructed within the Policy Plan Overlay to satisfy County Code section 31-26 and Section 31-30 "General Design Principles and Standards" showing no increased rate of run off. All current County and State stormwater requirements must be met. The applicant will need to indicate the general location of significant storm drainage improvements on the grading permit site plan. The site plan will need to show that surface water runoff created by any impervious surface on site is retarded by appropriate structural and vegetative measures so that flow rates at the discharge point don't exceed flows prior to any historical development on site. Such improvements need to be contained within the property boundary.

TABLE A 28.68.17-01 TABLE of ALLOWED USES and PERMIT REQUIREMENTS within the TRANSITIONAL INDUSTRIAL DEVELOPMENT PLAN AREA

A = Allowed by Right, AP = Administrative Permit, MUP = Minor Use Permit, UP = Use Permit, - - - = Prohibited Land Use Regulations** **ALLOWED USES*** Permit *See Definitions Section 28-01 Requirements **See Section 28-70.10 PP-17-01 AGRICULTURAL USES A. CROP PRODUCTION AND GRAZING Agricultural accessory structures MUP 28.71.10(B)(1) Cultivated and irrigated farming **MUP** 28.71.10 Non-irrigated and non-cultivated farming, MUP 28.71.10 Grazing Grazing or pastured livestock MUP 28.71.10 Pastured Poultry **B.** AGRICULTURAL PROCESSING USES Agricultural processing facility Aquaculture Nursery with public sales **MUP** 28.71.20(A) & (B)(2) Winery C. ANIMAL FACILITIES AND OPERATIONS Confined animal facility, including dairy Fowl and Poultry Ranch Hog Ranch Slaughterhouse D. OTHER AGRICULTURAL OPERATIONS Agricultural employee housing Commercial Auction and Agricultural **MUP** 28.71.40(A) & (B)(2) **Equipment Sales** HCD Agricultural employee housing Labor Camp **Temporary Commercial Coach** RESIDENTIAL USES A. DWELLINGS **Primary Dwelling** Secondary Dwelling Second Kitchen **Cannabis Cultivation** B. TEMPORARY RESIDENTIAL USES Security quarters for a construction site (commercial coach, manufactured home or **MUP** 28.72.20(A) & (B)(1) recreational vehicle) Temporary Manufactured Home Storage MUP 28.72.20(A) & (B)(4) Temporary single family home C. AGRICULTURAL AND ANIMAL FACILITIES INCIDENTAL TO A RESIDENCE Small Kennel or Cattery Stable, private

D.	OTHER RESIDENTIAL USES		
	Cottage Industry		
	Home Occupation	_	

RF	CCREATION, EDUCATION AND PUBLIC	C ASSEMBLY USE	S
A.	RECREATION USES		
	Boating or swimming facility on existing		
	waterway		
	Hunting or fishing club	_	
	Public open space area	_	
	Stable, public without horse shows		
B.	EDUCATION USES		
	Agricultural education		
C.	PUBLIC ASSEMBLY USES		
	Limited Special Event		
	Public Stable with Horse Shows		
	Special Events Facility (other than winery or		
	agricultural processing facilities)		
RE	TAIL AND OFFICE USES		
A.	RETAIL USES		
	Farm/Ranch Supply Store	MUP	28.74.10(A) & (B)(5)
	Roadside Stand		
В.	OFFICE USES		
	Agricultural Research Facility		
TC	OURIST USES		
Α.	AGRITOURISM		
	Agricultural Homestay		
	Vacation House Rental	_	
В.	TEMPORARY AGRITOURISM		
	Amusement and entertainment uses	_	
	Certified Farmers Market		
	Seasonal Sales Lot	MUP	28.75.20(A) & (B)(3)
CC	OMMERCIAL SERVICE USES		
A.	AGRICULTURAL SERVICES		
	Agricultural commercial kitchen	_	
	Agricultural trucking services and facility	MUP	28.76.10(A) & (B)(2)
	Airfield or heliport, agricultural		
	Commercial farm equipment fabrication and repair	MUP	28.76.10(A)
	Custom farm services	MUP	28.76.10(A)
	Storage and sale of agricultural service products (fertilizer/fuel)	MUP	28.76.10(A)
В.	COMMERCIAL SERVICES		
	Large Animal Hospital or Veterinary Clinic	MUP	28.76.20(A) & (B)(1)
_	Kennel or Cattery, Large		20.70.20(1) & (2)(1)
	Transitional Commercial	MUP	28.76.20(A) & (B)(3)
		*	

II	NDUSTRIAL, MANUFACTURING, PROC	CESSING AND WH	OLESALE USES
	Transitional Industrial	MUP	28.77.10(A) & (B) (4)
C	OMMUNICATION AND INFRASTUCTU	RE USES	
A.	COMMUNICATION USES		
	Wireless communication facilities		
	Co-locations	MUP	20 70 10(4) 0 20 01
	New towers	MUP	28.78.10(A) & 28.81
B.	INFRASTRUCTURE USES		
	Commercial solar energy facility		
	Commercial wind turbine generator		
	Injection Well		
	Non-commercial wind turbine		
	100 feet or less in height	MUP	28.80
	Over 100 feet in height	MUP	20.00
	Oil or gas well	MUP	
	Pipeline, transmission or distribution line, in R.O.W.	MUP	28.78.20(A) & (B)(8)
	Refuse, disposal, incineration, recycling or composting	MUP	28.78.20 (B)(3)
	Surface mining operation		
	Utility facility or infrastructure, outside of R.O.W	MUP	28.78.20(A) & (B)(9)
C.	PUBLIC SERVICE USES		
	Public Service Facility	_	
D.	TEMPORARY CONSTRUCTION AND INFI	RASTRUCTURE	
	Concrete/asphaltic concrete mixing plant	MUP	28.78.40(A) & (B)(2)
	Construction storage yard	MUP	28.78.40(A) & (B)(2)
	Construction office, storage, stockpiling, or construction yard for public infrastructure project	MUP	28.78.40(A) & (B)(3)
	Meteorological tower		
RE	SOURCE PROTECTION USES		
	Conservation and mitigation bank	_	

General site and building standards

Subdivisions, new land uses, main buildings including temporary residential uses, and alterations to existing land uses and buildings, shall be designed, constructed, and/or established in compliance with the applicable development standards delineated or referenced in Table B 28.68.17-01.

TABLE B 28.68.17-01 of DEVELOPMENT STANDARDS

	PP-17-01	
MAIN BUILDING		
Setbacks to Property Lines (1)		
Front	30 feet, but at least 50 feet from the street centerline and unless otherwise indicated by building lines on the Zoning Maps.	
Sides (each)	20 feet	
Rear	25 feet	
Between structures (2)	10 feet	
Height limit	35 feet, and as allowed by 28-93 Special regulations	
Height limit for agricultural processing uses	50 feet, and as allowed by 28-93 Special regulations	

Notes:

- (1) Other setbacks may be required for specific uses listed in Table 28.68.17-01, as provided elsewhere in this Chapter.
- (2) Other separation between structures may be required by County Building Code.

Accessory Buildings and Structures

New accessory buildings and other structures, including alterations to existing accessory buildings and other structures, shall be designed, constructed, and/or established in compliance with the applicable development standards in Section 28.71.10(B)(1) and in the table below.

TABLE C 28.68.17-01 of DEVELOPMENT STANDARDS, ACCESSORY BUILDINGS

	PP-17-01
AGRICULTURAL ACCES	SSORY BUILDINGS (1)
Setbacks (2)	
Attached	An accessory building attached to the main building shall comply with the setback requirements for the main building
Detached	
Front	60 feet or on the rear 50% of the lot
Sides (each)	20 feet
Rear	20 feet
Between structures	10 feet from any dwelling or other main building on the same lot Stables: 20 feet from any dwelling or other main building on the same lot
Height limit	35 feet, and as allowed by 28-93 General Building regulations
Height limit for agricultural processing uses	50 feet, and as allowed by 28-93 Special regulations
Parking	As required by 28-94, Parking Requirements
Signs	See Section 28.96 Signs
RESIDENTIAL ACCESSO	DRY BUILDINGS (1)
	PP-17-01
Setbacks (2)	
Attached	An accessory building attached to the main building shall comply with the setback requirements for the main building
Detached	
Front	60 feet or on the rear 50% of the lot
Sides (each)	20 feet
Rear	20 feet
Between structures	10 feet from any dwelling or other main building on the same lot Stables: 20 feet from any dwelling or other main building on the same lot
Height limit	35 feet, and as allowed by 28-93 Special regulations
Tieight iiiiit	
Parking	As required by 28-94, Parking Requirements

Notes

- (1) Does not include a secondary dwelling as defined in Section 28-01.
- (2) Other separation between structures may be required by County Building Code.

