

RESOLUTION NO. 2022-208

RESOLUTION OF THE BOARD OF SUPERVISORS OF SOLANO COUNTY APPROVING A LARGE LOT TENTATIVE MAP FOR MAJOR SUBDIVISION APPLICATION S-21-01, THE MIDDLE GREEN VALLEY SUBDIVISION PROJECT

WHEREAS, the Solano County Board of Supervisors has duly considered, in public hearing, an application requesting approval of a Large Lot Tentative Subdivision Map to subdivide approximately 410.9 acres of predominately undeveloped land into twenty-seven parcels, twenty-three of which will be utilized as open space, agricultural, and rural home site parcels and four of which, consisting of approximately 137.2 acres, to be further subdivided by a Small Lot Tentative Map into 322 residential parcels together with additional parcels for right-of-way, parks and open space, village green, community service uses, and related stormwater retention areas, with all twenty-seven parcels to be consistent with the policies and regulations set forth in the Middle Green Valley Specific Plan; and

WHEREAS, the property to be subdivided ("Subdivision Property") is located near the intersection of Green Valley and Mason Road, within the unincorporated portion of Solano County, north of the City of Fairfield; and

WHEREAS, the Subdivision Property and surrounding area is designated "Specific Project Area" in the General Plan and is planned and regulated by the Middle Green Valley Specific Plan, which established multiple zoning districts within the Subdivision Property that allow a range of land uses, including residential, agriculture, open lands, and agritourism; and

WHEREAS, the Board has reviewed the applicant's submittal and the staff report of the Department of Resource Management, considered the conditions recommended by the Department to be imposed on the Large Lot Tentative Map and attached hereto as Exhibit 1, read and considered the minutes and resolution of the Planning Commission, and heard and considered all comments and testimony regarding the application at the duly noticed public hearing held on October 4, 2022; and

WHEREAS, a Final Environmental Impact Report (EIR) was certified for the Middle Green Valley Specific Plan Project on October 25, 2016; and

WHEREAS, the Board has considered the potential environmental impact of the Large Lot Tentative Map in the manner required by the California Environmental Quality Act (CEQA) and finds that the Large Lot Tentative Map, as proposed to be conditioned, is consistent with the Middle Green Valley Specific Plan Final Program Environmental Impact Report certified on October 25, 2016, together with the addendums adopted on August 8, 2017, and September 28, 2021, (collectively "Specific Plan EIR"); and

WHEREAS, as proposed to be conditioned, the Large Lot Tentative Map will implement all mitigation measures recommended by the Specific Plan EIR and included in the adopted Mitigation Monitoring and Reporting Plan that can be imposed at this step of the residential development project analyzed in the Specific Plan EIR; and

WHEREAS, the Board has considered the question and finds that approval of the Large Lot Tentative Map, as proposed to be conditioned, would not trigger any of the circumstances described in section 21166 of CEQA, and therefore no further review of the MGV Subdivision under CEQA is required; and

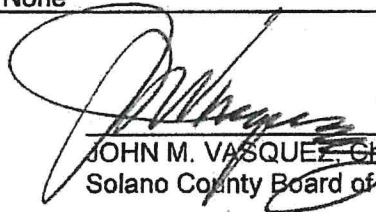
WHEREAS, after due consideration, the Board makes the following findings, pursuant to the criteria described in the Subdivision Map Act and the Solano County Subdivision Ordinance, regarding the proposed Large Lot Tentative Map together with the recommended conditions of approval:

1. The proposed map is consistent with the Solano County General Plan and Middle Green Valley Specific Plan.
2. The design or improvement of the proposed subdivision is consistent with the Solano County General Plan and the Middle Green Valley Specific Plan.
3. The site is physically suitable for the proposed type of development.
4. The site is physically suitable for the proposed density of development.
5. The design of the subdivision will not cause substantial environmental damage or substantially injure fish or wildlife or their habitat.
6. The design of the subdivision will not cause serious public health problems.
7. The design of the subdivision and the type of improvements will not conflict with any public easements for access through or use of the property.
8. The subdivision is consistent with regulations adopted by the State Board of Forestry and Fire Protection pursuant to Sections 4290 and 4291 of the Public Resources Code.
9. Structural fire protection and suppression services will be available for the subdivision through the Cordelia Fire Protection District.

RESOLVED, the Solano County Board of Supervisors approves the Large Lot Tentative Map of Major Subdivision Application No. S-21-01, subject to the conditions of approval described in Exhibit 1, attached hereto and incorporated herein by reference.

Passed and adopted by the Solano County Board of Supervisors at its meeting on October 4, 2022, by the following vote:

AYES:	SUPERVISORS	<u>Hannigan, Spering, Mashburn, and Chair Vasquez</u>
NOES:	SUPERVISORS	<u>Brown</u>
EXCUSED:	SUPERVISORS	<u>None</u>


JOHN M. VASQUEZ, Chair
Solano County Board of Supervisors

ATTEST:
BILL EMLN, Clerk
Solano County Board of Supervisors

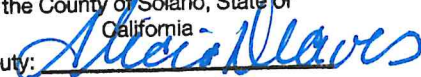
By: 
Alicia Draves, Chief Deputy Clerk

This instrument is a
correct copy of the original
on file in this office.

ATTEST: OCT 05 2022

Bill Emlen, Clerk of
the Board of Supervisors of
the County of Solano, State of
California

Deputy:



**CONDITIONS OF APPROVAL FOR THE MIDDLE GREEN VALLEY SPECIFIC PLAN
LOCATED NORTHWEST OF GREEN VALLEY ROAD
LARGE LOT TENTATIVE SUBDIVISION MAP
October 4, 2022**

Condition No.	Condition/Mitigation Measure	When Required	Responsible Department
1.	<i>Final Map</i> The Applicant shall submit the final map to the Department of Resource Management and the map shall substantially conform to the exhibits referenced below: <ul style="list-style-type: none"> • Large Lot Tentative Subdivision Map dated July 20, 2022. • Middle Green Valley Specific Plan, adopted August 8, 2017, as amended. 	M	RM (E) (P)
2.	<i>Development Rights</i> Per Section 3.1 of the Development Agreement, the approval and recording of the Large Lot Final Map shall not convey any additional right to develop.	M	RM (PW) (P)
3.	<i>The following note shall be added to the Final Map:</i> Lots 1-4 are being created solely for purposes of financing and sale and each lot is not intended to be developed prior to further subdivision of that lot. Prior to recordation of a final map or parcel map for any of Lots 1-4, no development shall be approved for any such lot until a Conditional Certificate of Compliance is obtained for the lot.	M	RM (E) (P)
4.	Prior to or concurrent with recording of the Final Map, easements shall be granted for ingress and egress to a public road for lots for Lots 5, 10, and 11.	M	RM (E) (P)
5.	This Large Lot Tentative subdivision map was approved, and a finding of site suitability was made based on the representation of the subdivider that they have or are currently negotiating for and will acquire, the property rights necessary to (1) provide legal access, with the width given in the Middle Green Valley Specific Plan from a County maintained road to the subdivision, (2) provide the necessary Public Utility easements and (3) make all required offsite improvements. Without this representation, the subdivision would not have been approved. If the subdivider is unable to provide such proof, then this condition shall be deemed to have not been met and no subdivision map shall be recorded. The subdivider understands and agrees that the County will not exercise its power of eminent domain to condemn any of the above-described property rights.	M	(PW)
6.	<i>Public Right-of-Way Dedication</i> As provided for in the Development Agreement and the First Amendment thereto, the Owner/Applicant shall dedicate all rights-of-way and corresponding public utility easements such that public access is provided to each, and every lot as shown on the latest version of the Large Lot Tentative Subdivision Map.	M	RM (E) (P)
7.	<i>Single Phase</i> The Large Lot Final Map shall be recorded in one phase.	M	RM (E)

**CONDITIONS OF APPROVAL FOR THE MIDDLE GREEN VALLEY SPECIFIC PLAN
LOCATED NORTHWEST OF GREEN VALLEY ROAD
LARGE LOT TENTATIVE SUBDIVISION MAP
October 4, 2022**

Condition No.	Condition/Mitigation Measure	When Required	Responsible Department
8.	<p><i>Offers of Dedication</i></p> <p>A. In addition to the Irrevocable Offers of Dedication (IOD) shown on the Tentative Map, the Large Lot Final Map shall also include irrevocable offers of dedication for Public Service Easements (PSEs) and other necessary utility, access, and grading easements to the satisfaction of the County Engineering Manager and County Surveyor. This shall include easements along existing portions of Mason, Green Valley and other roads within the boundaries on the Large Lot tentative Map.</p> <p>B. The IOD for the right-of-way for "Section 3" shall be widened to 60 feet as shown in the cross section on the Tentative Map.</p>	M	RM (PW)
9.	<p><i>Grading</i></p> <p>The grading for the Three Creeks parcel (Lot 3) will be required to conform grading onto Lot 24. Grading easements sufficient to accommodate this grading on Lot 24 shall be recorded prior to or as part of the Large Lot Final Map.</p>	M	PW
10.	<p><i>Urban/Wildland Interface</i></p> <p>The design of all elements along the Urban/Wildland Interface shall be designed and constructed as required by the Cordelia Fire Protection District.</p>	RM	RM (PW) (P)
11.	<p><i>Validity</i></p> <p>Pursuant to Government Code Section 66452.6, this approval shall be valid for a minimum term equal to the remaining term of the Development Agreement for the project, or for a period of twenty-four months, whichever is longer, but in no event for a shorter period than the maximum period of time permitted by the Subdivision Map Act.</p>	M	RM (E)
12.	<p><i>Final Map</i></p> <p>The following notes shall be placed on the final map:</p> <p>(1) "Future development of the lots shown on this map may be subject to additional Fire Safe regulations."</p> <p>(2) Future development of Lots 1-4 shall be subject to compliance with the Small Lot Tentative Subdivision Maps Conditions of Approval.</p>	M	RM (E)
13.	<p><i>Road Names</i></p> <p>The un-named roadways offered for dedication by this map shall be named. The Public Works Engineering Division shall approve the road names.</p>	M	RM (E)
14.	<p>A. <i>Indemnity for County</i> The Applicant shall protect, defend, indemnify, and hold harmless the County and its agents, officers and employees from any claim, action or proceeding against the County or its agents, officers</p>		

**CONDITIONS OF APPROVAL FOR THE MIDDLE GREEN VALLEY SPECIFIC PLAN
LOCATED NORTHWEST OF GREEN VALLEY ROAD
LARGE LOT TENTATIVE SUBDIVISION MAP
October 4, 2022**

Condition No.	Condition/Mitigation Measure	When Required	Responsible Department
	<p>or employees to attack, set aside, void, or annul any approval by the County or any of its agencies, departments, commissions, agents, officers, employees, or legislative body concerning the project, which claim, action or proceeding is brought within the time period provided therefore in Government Code Section 66499.37 or other applicable statutes of limitation. The County will promptly notify the applicant of any such claim, action or proceeding, and will cooperate fully in the defense. If the County should fail to cooperate fully in the defense, the applicant shall not thereafter be responsible to defend, indemnify and hold harmless the County or its agents, officers, and employees, pursuant to this condition. The County may, within its unlimited discretion, participate in the defense of any such claim, action or proceeding if both of the following occur:</p> <ul style="list-style-type: none"> • The County bears its own attorney's fees and costs; and • The County defends the claim, action or proceeding in good faith <p>The applicant shall not be required to pay or perform any settlement of such claim, action or proceeding unless the settlement is approved by the applicant. The applicant's obligations under this condition shall apply regardless of whether a Final Map is ultimately recorded with respect to this project.</p>		

CONDITION DEFINITIONS

RESPONSIBLE DEPARTMENT		WHEN REQUIRED	
RM	Resource Management Dept.	I	Prior to approval of Improvement Plans
(P)	Planning Division	M	Prior to approval of Final Map
(E)	Engineering Division	B	Prior to issuance of first Building Permit
(B)	Building Division	O	Prior to approval of Occupancy Permit
(F)	Fire Department	G	Prior to issuance of Grading Permit
PW	Public Works Division	DC	During construction
CC	County Counsel		