

RESOLUTION NO. 2023-

RESOLUTION OF THE BOARD OF SUPERVISORS OF SOLANO COUNTY APPROVING TRIAD FARMS MINOR SUBDIVISION APPLICATION NO. MS-22-01

WHEREAS, the Solano County Board of Supervisors has duly considered, in public hearing, a request by Triad Farms to subdivide a 160.08-acre parcel under Land Conservation Contract No. 930 into two parcels of 47.81 acres and 112.27 acres located at 8080 Sikes Road, 3.5 miles east of the City of Dixon, within the Exclusive Agriculture “A-40” zoning district, APN 0111-150-050; and

WHEREAS, said Board has reviewed the applicant's submittal and staff report of the Department of Resource Management, reviewed and considered all comments regarding said application at the public hearing held on October 3, 2023; and

WHEREAS, after due consideration, said Board has made the following findings regarding said proposal:

- 1. The property is currently under Land Conservation Contract No. 930, effective May 30, 1972, and is within the Exclusive Agriculture “A-40” zoning district.**
- 2. The parcels created by the subdivision will be large enough to sustain commercial agricultural production.**

The subject property is identified as Prime Farmland on the most recent (2018) State Department of Conservation Important Farmland Map. Pursuant to Gov. Code §51222, Prime Farmland is presumed sustainable for agricultural production on parcels 10 acres or greater in size. Further, §VII(A) of the County’s Uniform Rules supports this finding by requiring that new parcels be at least 41 acres for property entered into contract prior to December 27, 1977.

- 3. The subdivision will not result in residential development not incidental to the commercial agricultural use of the land.**

This finding is satisfied by the presumption described in §IV (B)(5) of the County’s Uniform Rules which states that agricultural parcels maintaining their minimum parcel size under applicable zoning do not constitute a residential subdivision. The proposed parcels exceed the 40-acre minimum parcel size required for the Exclusive Agriculture “A-40” zoning district. In addition, development on contracted land requires verification in the form of a supplemental questionnaire to be completed at the time of building permit application. This process ensures that all development is incidental to and compatible with the rules and regulations of the Williamson Act. The predominant land use on the property is commercial agricultural production of almonds and will remain so after subdivision.

- 4. The proposed map is consistent with the Solano County General Plan.**

The General Plan Land Use Diagram designates the project site Agriculture. In addition, the property is located within the Dixon Ridge Agricultural Region which contains some of the County’s best farmland.

General Plan Policy AG.P-28 recognizes that agriculture is to be the predominant land use in the Dixon Ridge and GP Table AG-3 indicates a minimum lot size of 40 acres is recommended to maintain a farmable unit and to encourage viable agricultural production within the region. The agricultural use of the property is encouraged throughout the Land Use and Agriculture Chapters of the General Plan and the proposed lot sizes are consistent with the Dixon Ridge Agricultural Region.

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

The rectangular lot design, farmable area, and access to public roads ensure the optimal usability of each lot for agricultural production, consistent with the Solano County General Plan and Dixon Ridge Agricultural Region.

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

No development is proposed in conjunction with the minor subdivision. The subject property is identified as Prime Farmland on the most recent (2018) California Department of Conservation Important Farmland Map for Solano County. Prime Farmland is defined as having the best combination of physical and chemical features able to sustain long-term agricultural production. This land has the soil quality, growing season, and moisture supply needed to produce sustained high yields.

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

No development is proposed in conjunction with the minor subdivision; however, Proposed Parcel 2 has the ability to accommodate a Primary Dwelling incidental to the commercial agricultural use of the property. This scale of potential development is suitable with generally flat parcels greater than 40 acres in size.

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

No development is proposed in conjunction with the minor subdivision, however the buildable area identified, and the existing structure are within the historic developed footprint of the existing property.

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

The proposed project will not cause serious public health problems.

10. 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.

11. There is no discharge of waste from the proposed subdivision into an existing community sewer system therefore it 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 §13000) of the Water Code.

12. **The property does not front on a public waterway, public river, or public stream, coastline, shoreline, publicly owned lake or publicly owned reservoir.**
13. **The parent parcel is subject to a contract entered into pursuant to the California Land Conservation Act of 1965 and the proposed lots to be created are consistent with the minimum residential building site requirements under the Solano County Uniform Rules and Procedures Governing Agricultural Preserves and Land Conservation Contracts.**

The property is entered into Land Conservation contract No. 930 effective May 30, 1972. The subdivision is consistent with the County's Uniform Rules as well as §66474.4 of the Subdivision Map Act.

14. **The proposed subdivision complies with the provisions of the County Hazardous Waste Management Plan.**

The property shall maintain current its hazardous materials submittals to the online California Environmental Reporting System (CERS). Records indicate the property has an existing facility entry, site No. 10490455.

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 §2621 et seq.) and is not subject to the policies and criteria established by the State Mining and Geology Board pursuant to that Act.**
16. **The project is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines §15061(b)(3), common-sense exemption.**

The subdivision does not propose any changes to the physical environment. A vast majority of the site is cultivated in almond orchard and residential development incidental to agricultural production exists on both lots. With no proposed changes to the site, the project would not create substantial additional population dependent impacts such as 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 and therefore qualifies for the common-sense exemption.

BE IT THEREFORE RESOLVED, the Board of Supervisors of the County of Solano does hereby approve Minor Subdivision No. MS 22-01 subject to the following conditions of approval:

ADMINISTRATIVE

1. The Parcel Map to be filed shall be in substantial compliance with the Tentative Parcel Map labeled "TENTATIVE PARCEL MAP FOR TRIAD FARMS", prepared by Laugenour and Meikle, dated June 2, 2023, on file with the Department of Resource Management, except as modified by the Board of Supervisors.

ENVIRONMENTAL HEALTH

2. Solano County Code §6.4-32, 6.4-81, 6.4-81.1, and 6.4-81.2, requires that all parcels proposed to be created and supported by onsite sewage disposal systems be tested for adequacy of such systems.

If the primary or reserve leach field areas for the proposed parcels require the use of an alternative type septic system, then a declaration shall be recorded with the Parcel Map that states the soil testing data submitted to date requires the use of an alternative type septic system, and that such a system must be operated, monitored, and maintained in accordance with the standards set forth in Solano County Code § 6.4: Sewage Standards. The declaration shall state on which lots soil testing indicates an alternative system is necessary.

3. Any septic systems, including reserve areas, shall not reside within a PG&E easement, unless written approval is provided to allow for this.
4. The property shall maintain current its hazardous materials submittals to the on—line California Environmental Reporting System (CERS). Records indicate the property has an existing facility entry, site No. 10490455.

PACIFIC GAS & ELECTRIC

5. PG&E operates overhead electric distribution facilities currently serving the existing buildings on the property. The proposed division of the property constitutes the need for an easement for the existing overhead electric line, beginning at Sikes Road and crossing Proposed Parcel 1 to Proposed Parcel 2.

PUBLIC WORKS – ENGINEERING

6. A Parcel Map shall be filed with the Solano County Surveyor. The map shall conform to the requirements of the State Subdivision Map Act and the Solano County Subdivision Ordinance. The map shall be prepared by a licensed surveyor or civil engineer. Upon the map being filed with the County Recorder, the subdivision is valid.

Action Required	With	When	Date	Verified
File Parcel Map	Public Works	Within 24 months of approval		

7. The Parcel Map shall ensure that all County Road half-widths meet or are improved to meet County standards. The County Road right-of-way widths are:
 - Hackman Road (County Road 141) is 60 feet wide with a half-width of 30 feet.

- Sikes Road (County Road 166) is 60 feet wide with a half-width of 30 feet.
8. Subdivider shall apply for, secure, and abide by the conditions of an encroachment permit for any work within the public right-of-way. Driveways must be maintained in such a manner as to prevent soil, rocks, and debris from tracking onto the public roads.
 9. Subdivider shall apply for, secure, and abide by the conditions of a grading permit for the construction of the private roads and access improvements as shown on the Tentative Map, as well as any onsite grading.
 10. The apron for the driveway serving Lot 1 shall be paved from the existing edge of pavement of Sikes Road to the right-of-way line. The pavement shall meet Solano County encroachment standards. The pavement shall be asphaltic concrete.
 11. NOTE ON THE MAP. The following note shall be placed on the supplemental Parcel Map sheet "A grading permit review will be required before the issuance of a building permit for dwellings or driveways".

Passed and adopted by the Solano County Board of Supervisors on October 3, 2023, by the following vote:

AYES: Supervisors _____
NOES: Supervisors _____
EXCUSED: Supervisors _____

JOHN M. VASQUEZ, Chair
Solano County Board of Supervisors

ATTEST:
BILL EMLLEN, Clerk
Solano County Board of Supervisors

By: _____
Alicia Draves, Chief Deputy Clerk