

RESOLUTION NO. 2020 - 66

RESOLUTION OF THE SOLANO COUNTY BOARD OF SUPERVISORS APPROVING MINOR SUBDIVISION APPLICATION NO. MS-19-01 OF LANZA VINEYARDS INC

Whereas, the Solano County Board of Supervisors has considered, in public hearing, Minor Subdivision Application No. MS-19-01 of Lanza Vineyards Inc. to subdivide 90.31 acres of property into four parcels located at 4777 Suisun Valley Road, 2 miles northwest of the City of Fairfield within the Suisun Valley Agriculture "A-SV-20" Zoning District; APN's 0153-110-070 and 08; and

Whereas, said Board has reviewed the applicant's submittal and staff report of the Department of Resource Management, reviewed and considered the Negative-Declaration prepared pursuant to the California Environmental Quality Act, and heard and considered all comments regarding said application at the public hearing held on April 28, 2020; and

Whereas, after due consideration, the said Board has made the following findings in regard to said proposal:

1. The resulting parcels are 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 20, 41 or 80 acres in size;

Within the Suisun Valley Agriculture zoning district the minimum parcel size is 20 acres. The proposed parcels are greater than the 20 acres in size; thus, exceed the minimum acreage requirements and of adequate size and shape for continued agricultural production.

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 (B)(5) of the Solano County Uniform Rules and Procedures Governing Agricultural Preserves and Land Conservation Contracts.

The proposed parcels could allow for residential development incidental to the commercial agricultural production on-site. The Solano County Uniform Rules and Procedures Governing Agricultural Preserves and Land Conservation Contracts 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.

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

The property has an Agricultural General Plan designation and is located within the Suisun Valley special study area and the Suisun Valley Agricultural Region. The Suisun Valley special study area and the Suisun Valley Agricultural Region provide for 20 acre minimum parcel sizes to maintain farmable units and to encourage viable agricultural and ranching uses within the Valley (General Plan: SS P-12, Table AG-3). The agricultural land use and proposed lot sizes are consistent with these plans and designations.

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

The property is designated for agricultural use and is currently planted with vineyards. The design of the proposed subdivision, available road access, provisions for domestic water and wastewater disposal, and the size of the proposed parcels satisfy the intent of the General Plan.

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

The site is physically suitable to continue farming operations, and could facilitate potential residential development in support of farming operations.

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

The site is physically suitable to continue farming operations, and could facilitate potential residential development in support of farming operations. Each newly created parcel would be suitable to construct a primary dwelling in support of agricultural operations. Site specific soil testing and a domestic drinking water well would be required at the time of residential development.

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

No significant environmental impacts were identified during the CEQA process.

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

The project is a proposal for agricultural lots and, as proposed, is in compliance with the General Plan and the Zoning Ordinance. Part I of the Initial Study reviewed the project for possible health or environmental problems and none were found to be significant. It is not anticipated that the project will 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 does not front on any public waterway, public river, public stream, coastline, shoreline, publicly owned lake or publicly owned reservoir and the proposed subdivision does not provide, or have 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.
12. The proposed subdivision does not front along a public waterway, public river or public stream and does not provide for a dedication of a public easement along a portion of the bank of the waterway, river or stream bordering or lying within the subdivision, which easement is defined so as to provide reasonable public use and maintenance of the waterway, river or stream consistent with public safety.
13. 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 property is under Williamson Act Contract No. 438. The property is currently utilized for commercial agricultural purposes consistent with the Williamson Act. The newly created parcels may continue the use of the property for commercial agricultural purposes.

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

The Solano County Hazardous Materials Area Plan has no provisions applicable to this agricultural subdivision.

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 Negative Declaration was prepared pursuant to the California Environmental Quality Act and noticed for public comment by the Department of Resource Management. The Negative Declaration which reflects the County's independent judgement and analysis concludes that there is no substantial evidence in the whole record before the County that the project would have a significant effect on the environment. Implementation of the recommended conditions of approval would prevent the project from having the potential to create significant effects on the environment.

Resolved, the Solano County Board of Supervisors adopts the Negative Declaration prepared for Minor Subdivision application MS-19-01 (Lanza Vineyards Inc.).

Resolved, the Board of Supervisors of the County of Solano does hereby adopt the mandatory and suggested findings and approve Minor Subdivision Application No. MS-19-01, subject to the following conditions of approval:

1. The Parcel Map to be filed shall be in substantial compliance with the Tentative Parcel Map labeled "TENTATIVE PARCEL MAP of the lands of Lanza Vineyards Inc.", dated January 15, 2020 and prepared by Ty Hawkins LS 7973; on file with the Solano County Planning Services Division, except as modified herein.

Environmental Health Services Division

2. The existing parcels lie within the "C" water zone – considered water abundant for residential development.

The applicant is not required to construct a new water well for the proposed parcels A, B, or C prior to final map approval. Any future residential development on those parcels shall require verification of a potable water source within the proposed parcel boundaries prior to building permit issuance.

The existing residence, within the proposed parcel D, shall be serviced water from the new well constructed under permit W2019-0127, which is also located within the boundaries of proposed parcel D.

3. A declaration shall be recorded with the final map that states that the soil testing data submitted to date requires the use of an alternative pressure dose type onsite wastewater treatment system in the primary and reserve leachfield areas of proposed Parcels A, B, and C, and the reserve leachfield area of proposed Parcel D.

The declaration shall state that the alternative pressure dose type onsite wastewater treatment system must be operated, monitored, and maintained in accordance with the standards set forth Solano County Code Chapter 6.4: Sewage Standards.

The soil testing site locations shall be indicated on the final map.

Solano Irrigation District

4. Per the Solano Irrigation District's (SID) Rules and Regulations, the developer is required to provide a water service to all newly created parcels. The Parcel Map shall include SID's Statement for District approval.
5. The SID Engineer, to the extent of existing records, will identify existing SID facilities within the scope of the project. Per the SID record drawings; there is currently an existing service with a pump (OP7) owned by the owner of the property. The existing service shall be split to serve the two northern parcels, and two new services shall be installed on the Meddock Pipeline to service the southern two parcels.
6. Each service shall be privately installed and maintained pipeline but shall include a District approved meter.
7. Private pipelines shall be constructed outside of existing District easements.

8. Private pipeline easements shall be recorded by separate document if private pipelines must run through adjacent parcel.
9. The services shall be constructed prior to approval of the Final Map.
10. The Developer has signed a District work order (18-2820). The work order is the mechanism to which all fees and charges associated with District staff time and/or materials will be charged for reimbursement from the landowner.
11. Unless approved in writing, all work that could affect operation of the existing irrigation facilities shall be performed outside of irrigation season which generally runs from April 1st to October 15th.
12. Per the District's Rules and Regulations, the District must review, place its certificate on, and sign the Final Map and Improvement Plans submitted by the Developer.
13. Electronic AutoCAD files are required upon the completion of the project showing "as-builts" for electronic archiving.

Public Works - Engineering

14. Prior to recordation of the Parcel Map, the subdivider shall apply for, secure and abide by the conditions of an encroachment permit for the large stone entry sign within the public right-of-way along the frontage of Parcel C. The entry sign shall either be removed or the travelling public shall be protected by the installation of a protective system that meets CalTrans standards for highways.
15. Access to the subdivision from Suisun Valley Road shall be limited to the private road access and the gravel lot access shown on the Tentative Map dated 1/15/2020.
16. The aprons for the 60' Access and the gravel lot shall be paved from the existing edge of pavement of Suisun Valley Road to the right of way line. The pavement shall meet Solano County encroachment permit standards.
17. Prior to the recordation of the Parcel Map the Subdivider shall construct private improvements including, but no limited to, construction of private roadways, roadside ditches as shown on the Tentative Map dated 1/15/2020. Private roadways shall be twenty feet (20') wide with a double chip seal surface and shall have four-foot (4') graded shoulders.
18. Water lines and/or other underground utilities under roadways shall be constructed/installed prior to the final surfacing of the roads.
19. Subdivider shall apply for, secure and abide by the conditions of encroachment permits for all work within the Solano County rights-of-way.

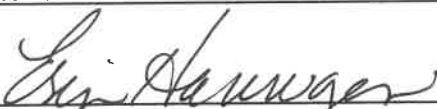
20. Prior to the filing of the Parcel Map, a road maintenance agreement shall be recorded that requires participation from owners of all lots within the subdivision. The maintenance agreement shall include all roadway improvements, culverts, drainage ditches and storm water detention ponds within the subdivision. The agreement shall be submitted and approved by Public Works Engineering prior to recordation. The agreement's existence shall be noted on the supplemental map sheet of the Parcel Map.
21. A Parcel Map, as defined in the State Subdivision Map Act and prepared by a licensed surveyor or civil engineer, showing all easements and parcels shall be filed with the Solano County Surveyor.
22. A private road easement shall be created on the line between proposed Parcel A and Parcel B. The easement shall run from the proposed 60' Access Easement to the driveway for proposed Parcel A. The width shall be Fifty feet. The easement shall be shown on the Parcel Map.
23. A private road easement shall be created on the line between proposed Parcel B, Parcel D, and Parcel C. The easement shall run from the proposed 60' Access Easement to the driveway for proposed Parcel C. The width shall be Fifty feet. The easement shall be shown on the Parcel Map.
24. The private road easements shall be widened as necessary to contain the road base, all cuts and fills, and the required roadside drainage.
25. The 60' Proposed Access Easement shall be widened to contain the bulb turn around. The bulb turn around shall be sized to meet fire safe standards.

Passed and adopted by the Solano County Board of Supervisors at its regular meeting on April 28, 2020, by the following vote:

AYES: SUPERVISORS Hannigan, Brown, Spring, Vasquez and Thomson

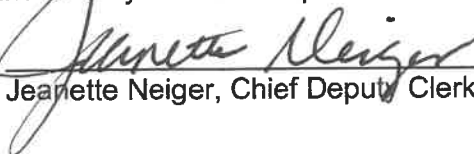
NOES: SUPERVISORS None.

EXCUSED: SUPERVISORS None.


ERIN HANNIGAN, Chairwoman
Solano County Board of Supervisors

ATTEST:

BIRGITTA E. CORSELLO, Clerk
Solano County Board of Supervisors

By: 
Jeanette Neiger, Chief Deputy Clerk