

SOLANO COUNTY PLANNING COMMISSION

RESOLUTION NO. _____

WHEREAS, the Solano County Planning Commission has considered the Goudie et. al. project including Rezoning Petition Z-17-04 and Minor Subdivision MS-17-06, which proposes to rezone a 15.69 acre portion of the property identified as APN's 0105-060-390 and 0105-060-400 from Rural Residential "RR-2.5" and Exclusive Agriculture "A-20" to Rural Residential "RR-5" and subdivide the two existing parcels into three lots; and

WHEREAS, the Solano County Planning Commission has reviewed the report of the Department of Resource Management and heard testimony relative to the project at the duly noticed public hearing scheduled for September 6, 2018, deferred to October 4, 2018, and continued to November 1, 2018; and

WHEREAS, on projects involving a rezoning of property from one zoning district to another, or that impose new or different regulations on the use of property, the Planning Commission is an advisory agency to the Board of Supervisors and the Commission is required to render a written recommendation to the Board, giving its reasons for the recommendation and describing the relationship of the proposed zoning amendment to the General Plan; and

WHEREAS, after due consideration, the Planning Commission has made the following findings in regard to Rezoning Petition Z-17-04:

1. The proposed zone change is in conformity with the Solano County General Plan with respect to land use, population densities and distribution, traffic circulation and other aspects of the General Plan considered by the Board of Supervisors to be permanent.

As seen on Table LU-7 of the Solano County General Plan the proposed Rural Residential "RR-5" zoning is consistent with the Rural Residential General Plan designation for the property. The existing residential development of one primary dwelling per parcel, proposed minimum parcel size of 5 acres for lots supported by domestic water well and private septic system, density, and access are in conformity with the proposed zoning and existing designation.

2. The 15.69 acres of land proposed to be rezoned Rural Residential "RR-5" is contiguous to other Rural Residential zoned parcels.

Adjacent parcels located north and east of the subject site share the proposed Rural Residential zoning district.

WHEREAS, this resolution, including the draft rezoning ordinance **Attachment A** hereto, together with the staff report prepared by the Department of Resource Management and the minutes of the Planning Commission's proceedings, constitute the Commissions' written recommendation and report to the Board of Supervisors on the Goudie et. al. project; and

WHEREAS, The project does not have the potential for causing a significant effect on the environment; therefore a Notice of Exemption shall be prepared for the project pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15061(b)(3), General Rule exemption.

A Notice of Exemption shall be prepared and filed pursuant to CEQA Guidelines Section 15061(b)(3). The project qualifies for this exemption because the potential construction of one additional primary single family residence incidental to agricultural operations is not significant to create effects on environmental resources such as transportation, noise, biological, cultural,

hydrology, air quality, or others. Implementation of recommended conditions of approval would prevent the project from creating significant effects to the environment.

In addition, the zoning change represents a downzoning for this area, whereas a permitted density of housing and development is reduced. The balance of the rezone area is currently zoned Exclusive Agriculture; however this area has historically functioned for residential purposes. The rezoning would be reflective of the existing physical environment and would not result in a loss of productive agricultural land.

WHEREAS, after due consideration, the Planning Commission has made the following findings in regard to Minor Subdivision MS-17-06, with approval contingent upon the effective rezoning approved by the Board of Supervisors:

3. The proposed map is consistent with applicable general and specific plans as specified in Section 65451 of the Government Code.

The General Plan Land Use Diagram designates the property Rural Residential. This designation provides for single-family residences on parcels 2.5 – 10 acres in size. The existing residential development and proposed parcel sizes are consistent with the intent of the Rural Residential designation. As seen on General Plan / Zoning Consistency Table (Table LU-7) of the Solano County General Plan, the Exclusive Agricultural Zoning and agricultural use of Proposed Parcel 2 is consistent with the General Plan designation.

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

The three proposed lots are of sufficient size and shape to continue to accommodate residential development and agricultural operations on-site.

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

Proposed Parcel 2 is undeveloped however is of sufficient size, relatively flat, and not located within a water scarce area therefore may accommodate a primary dwelling to be constructed on-site. Proposed Parcels 1 and 3 contain existing residential development.

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

Each of the three proposed lots may accommodate up to one primary single family dwelling. Proposed Parcels 1 and 3 are developed with such residence types. The site is physically suitable to accommodate a primary dwelling on Proposed Parcel 2.

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

The subdivision does not involve any changes to the existing setting, therefore does not include any environmental damages or changes to any habitat(s).

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

The subdivision will not cause serious health problems.

9. The design of the subdivision and the type of improvements will not conflict with any public easements.

Any improvements resulting from the subdivision would be located outside any easements on-site.

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.

Each primary single family residence would utilize on-site septic systems and would not affect any 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.
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 not entered into a contract pursuant to the California Land Conservation Act of 1965.
14. The proposed subdivision is consistent with applicable provisions of the County Hazardous Waste Management Plan.

The subdivision does not involve hazardous waste.

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 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.

BE IT THEREFORE RESOLVED, that the Planning Commission has approved the project subject to the following recommended conditions of approval:

1. The Parcel Map to be recorded shall be in substantial compliance with the Tentative Parcel Map for Goudie et. al. prepared by Laugenour and Meikle, dated August 23, 2018; on file with the Solano County Planning Division, except as modified herein.
2. Approval of the Tentative Parcel Map for Minor Subdivision application No. MS-17-06 is contingent upon the effective date for Rezoning Petition Z-17-04, as approved by the Board of Supervisors. The rezoning petition shall take effect no earlier than 30 days from the Board of Supervisors approval of said petition.

Building & Safety Division

3. The permittee shall obtain approval from the Building and Safety Division prior to construction, erection, enlargement, altering, repairing, moving, improving, removing, converting, or demolishing any building or structure, fence, gate, or retaining wall regulated by the Solano County Building Code. The applicant shall submit four sets of

plans to the Building and Safety Division for plan review and permits prior to beginning improvements.

Environmental Health Division

4. Prior to any residential development on either parcel, the property owner shall comply with Solano County Code Chapter 6.4 and 13.10 relative to water wells and septic systems.

Public Works – Engineering Division

5. Subdivider shall be limited to one private roadway connection to Peaceful Glen Road and one private roadway connection to Timm Road, within the proposed access easements and at the locations shown on the Tentative Parcel Map.
6. Prior to the recordation of the final Parcel Map, the Subdivider shall obtain and record a 60 foot wide access easement across proposed Parcel 1, as shown on the Tentative Map and identified as APN 0105-060-400.
7. Prior to the recordation of the final Parcel Map, the Subdivider shall obtain and record a 60 foot wide access easement across APN 0105-060-240, referenced on the Tentative Map.
8. Prior to the recordation of the final Parcel Map, the Subdivider shall construct a private roadway from Peaceful Glen Road in accordance with County of Solano Road Improvement Standards. The private roadway shall be constructed from the connection to Peaceful Glen Road, across Parcel 1, identified as APN 0105-060-400 and as shown on the Tentative Map.
9. Prior to the recordation of the final Parcel Map, the Subdivider shall construct a paved commercial driveway apron within the Solano County right-of-way for the driveway access across the parcel identified as APN 0105-060-240 as shown on the Tentative Map. The paved driveway shall extend 50 feet beyond the Solano County right-of-way within the access easement.
10. Prior to issuance of any building permit on, or approval of any future Parcel Map for the parcel identified as Parcel 2 on the Tentative Map, the property owner at the time of development shall construct the private roadway from Timm Road within the access easement across the parcel identified as APN 0105-060-240 and in accordance with County of Solano Road Improvement Standards.
11. Subdivider shall apply for, secure, and abide by the conditions of encroachment permits for all work within the Solano County rights-of-way including, but not limited to, access connections with Peaceful Glen Road and Timm Road. The new access connections shall include paved aprons.
12. Subdivider shall apply for, secure, and abide by the conditions of a grading permit for the construction of the access improvements at Timm Road and Peaceful Glen Road, as shown on the Tentative Map, as well as all onsite grading.
13. Prior to the filing of the final Parcel Map, road maintenance agreements(s) shall be recorded that requires all lot owners in the subdivision to participate in the maintenance

of the private roadways. The maintenance agreement(s) shall include all roadway improvements, including culverts and drainage ditches. The agreement(s) shall be submitted and approved by Public Works Engineering prior to recordation. The agreement(s) shall be noted in a supplemental sheet on the Parcel Map for the subdivision, and shall include the private roadways across Parcel 1 of the Tentative Map and the parcel identified as assessor's parcel number 0105-060-240.

RESOLVED, that the Solano County Planning Commission does hereby recommend approval of the rezoning petition to the Solano County Board of Supervisors and approval of the minor subdivision contingent on the effective rezoning of the property by the Board of Supervisors.

* * * * *

I hereby certify that the foregoing resolution was adopted at the regular meeting of the Solano County Planning Commission on November 1, 2018 by the following vote:

AYES:	Commissioners	_____

NOES:	Commissioners	_____
ABSTAIN:	Commissioners	_____
ABSENT:	Commissioners	_____

By: _____
Bill Emlen, Secretary

Attachment A – Rezoning Ordinance

ORDINANCE NO. 2018-_____**AN ORDINANCE AMENDING CHAPTER 28 OF THE SOLANO COUNTY CODE
TO REZONE 15.69± ACRES LOCATED SOUTH OF PEACEFUL GLEN ROAD
FROM RURAL RESIDENTIAL “RR-2.5” AND EXCLUSIVE AGRICULTURE “A-20” TO
RURAL RESIDENTIAL “RR-5”**

The Board of Supervisors of the County of Solano ordains as follows:

SECTION I

Chapter 28, Section 28.11 of the Solano County Code (Zoning Regulations), is amended by amending Zoning Map No. 2-S, as illustrated in Exhibit A attached hereto, rezoning a 15.69 acre portion of the property identified as APN's 0105-060-390 and 0105-060-400 from Rural Residential “RR-2.5” and Exclusive Agriculture “A-20” to Rural Residential “RR-5”.

SECTION II

The Board of Supervisors has made the following findings in regard to the zoning amendment described in Section I of this ordinance:

1. The zoning amendment is in conformity with the Solano County General Plan with respect to land use, population densities and distribution, traffic circulation, public sewer and water service, and other pertinent aspects of the General Plan.

The proposed zone change of a 15.69 acre portion of the project site from Rural Residential “RR-2.5” and Exclusive Agriculture “A-20” to Rural Residential “RR-5” conforms with the Rural Residential General Plan designation, thereby permitting development of the property with land uses, population densities, septic and water service, and traffic circulation as envisioned by the General Plan.

2. The area of land proposed for rezoning is contiguous to other properties that are currently within the Rural Residential zoning district.

The property is contiguous to other properties that are currently zoned Rural Residential including properties to the north and west of the subject site.

3. The project has been reviewed and processed in accordance with the California Environmental Quality Act (CEQA) and the Solano County CEQA Guidelines.

The site has been historically utilized for residential purposes on the northwest side of Sweeny Creek and dryland farming on the southeast side. Approximately half of the area to be rezoned Rural Residential “RR-5” is currently zoned Rural Residential “RR-2.5”. The zoning change represents a downzoning for this area, whereas a permitted density of housing and development is reduced. The balance of the rezone area is currently zoned Exclusive Agriculture; however this area has historically functioned for residential purposes. The rezoning would be reflective of the existing physical environment and would not result in a loss of productive agricultural land.

The two proposed residential lots are developed with primary residences. The project has the potential to accommodate one additional primary residence intended to support

agricultural operations on Proposed Parcel 2; however no residential development is proposed as part of the project. With no additional development, the setting and physical environmental will remain unchanged from its current state. With no changes to the site, the project will not create additional population dependent impacts such as significant 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; therefore a Notice of Exemption shall be prepared for the project pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15061(b)(3), General Rule exemption.

SECTION III

A summary of this ordinance shall be published once in the Daily Republic, a newspaper of general circulation in the County of Solano, not later than fifteen (15) days after the date of its passage and adoption and shall take effect thirty (30) days from and after its passage.

PASSED AND ADOPTED by the Solano County Board of Supervisors at its regular meeting on _____, 2018, by the following vote:

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

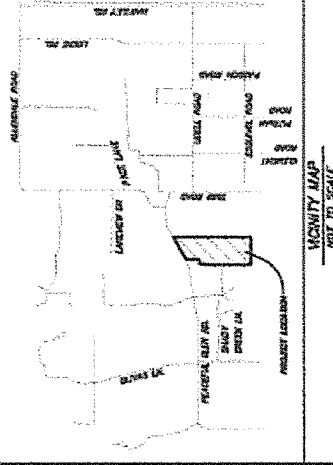
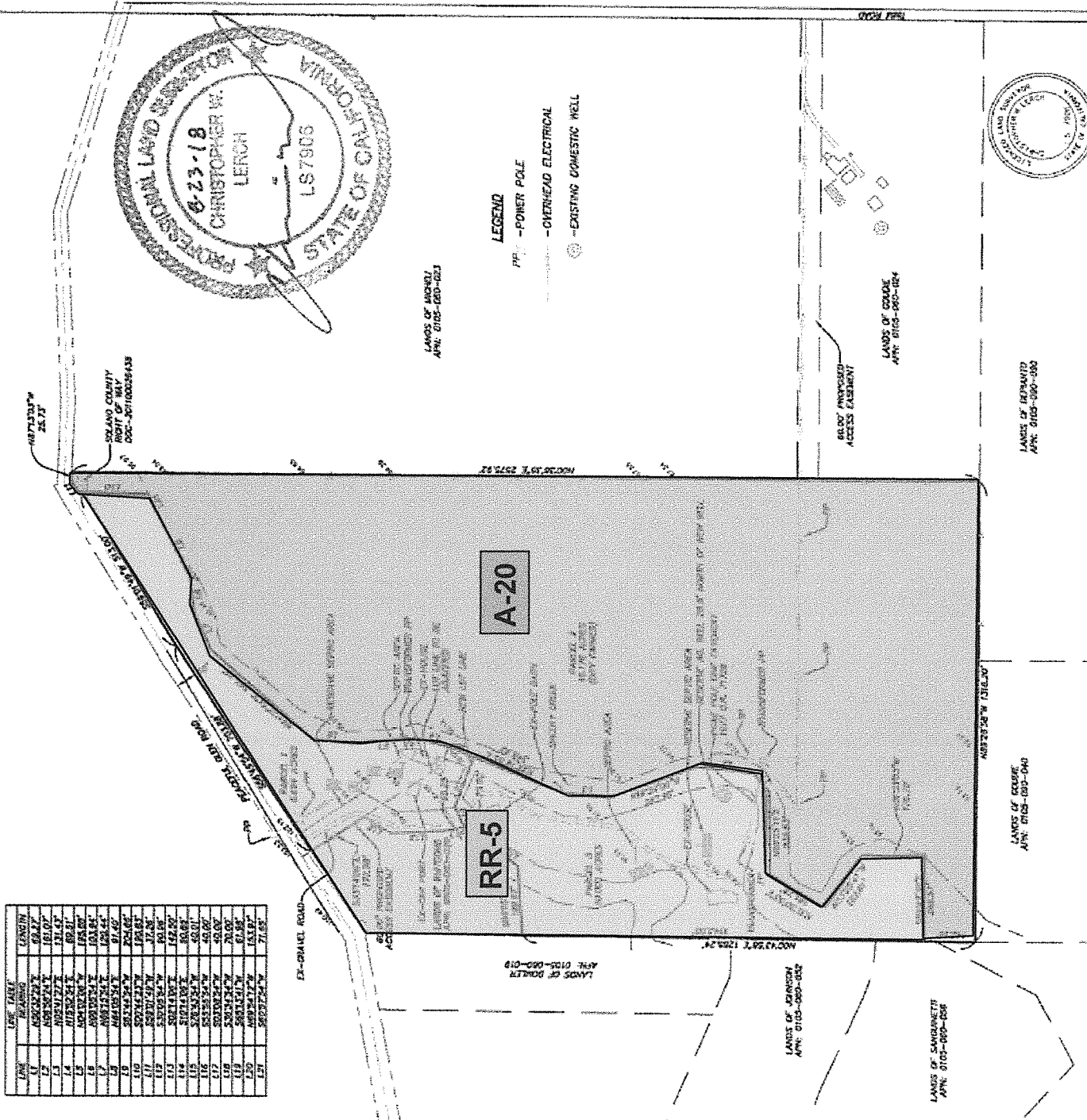
John Vasquez, Chair
Solano County Board of Supervisors

ATTEST:
Birgitta E. Corsello, Clerk
Board of Supervisors

By: _____
Jeanette Neiger, Chief Deputy Clerk

Exhibit A: Z-17-04 Rezoning Map

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OWNER/SUBOWNER:
GOUDIE ETAL
 1818 1/2 PRADERA GLEN ROAD
 VACARILE, CA 95688
 PHONE (707) 449-3019

ENGINEER/SURVEYOR:
LAUGENOUR AND MEIKLE
 CIVIL ENGINEERING - LAND SURVEYING - PLANNING
 848 COURT STREET
 WOODLAND, CA 95695
 PHONE (530) 682-1755

ASSESSOR'S NUMBER:
 0105-000-380 AND 400

EXISTING USE:
 RURAL HOMESITE & AGRICULTURE

PROPOSED USE:
 RURAL HOMESITE & AGRICULTURE

EXISTING ZONING:
 RR2.5 & A20

PROPOSED ZONING:
 RR2.5 & A20

SEWER SERVICE:
 EXISTING SEPTIC AND LEACH FIELD

DRAINAGE SERVICE:
 OVERLAND TO SOUTHEAST

WATER SERVICE:
 PRIVATE WELL

ELECTRIC SERVICE:
 PACIFIC GAS & ELECTRIC

GAS SERVICE:
 NONE

TELEPHONE SERVICE:
 AT&T

FLOOD ZONES:
 ZONE X, 060500181F

GROSS AREA:
 61.872± ACRES

LEGEND
 PP - POWER POLE
 - OVERHEAD ELECTRICAL
 - EXISTING DOMESTIC WELL

TENTATIVE PARCEL MAP
FOR
GOUDIE ETAL
 BEING A PORTION OF SECTION 21 TOWNSHIP 7 NORTH,
 RANGE 1 WEST, MOUNT Diablo BASE AND MERIDIAN
 UNINCORPORATED AREA OF SOLANO COUNTY, CALIFORNIA

LM LAUGENOUR AND MEIKLE
 CIVIL ENGINEERING - LAND SURVEYING - PLANNING
 848 COURT STREET
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SHEET 1 OF 1
AUGUST 23, 2018