

**RESOLUTION OF THE SOLANO COUNTY BOARD OF SUPERVISORS
APPROVING MINOR SUBDIVISION APPLICATION NO. MS-18-04 OF
EDWARD & CHERYL SCHROEDER**

Whereas, the Solano County Board of Supervisors has considered, in public hearing, Minor Subdivision Application No. MS-18-04 of Edward Kenneth Jr & Cheryl L. Schroeder to subdivide property into two parcels located at 8307 Schroeder Road in an Exclusive Agriculture 'A-40' zoning district, 1.5 miles west of the City of Dixon, APN: 0108-060-040; and

Whereas, said Board has reviewed the applicant's submittal and staff report of the Department of Resource Management and the determined compliance with the California Environmental Quality Act; and

Whereas, said Board on November 6, 2018, continued the matter to December 11, 2018 at the property owner's request, and

Whereas, said Board has heard and considered all comments regarding the application at a duly noticed public hearing held on December 11, 2018; 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;

The proposed parcels are greater than 41 acres in size; thus, exceed the minimum acreage requirements and of adequate size and shape for agricultural purposes.

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 41 acre parcels allow for low density residential home sites that are incidental to the existing commercial agriculture. The size and scale of the proposal will not create rural residential estates.

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

The property is designated Agriculture and is located within the Dixon Ridge Agricultural Region. The primary agricultural use of the land, existing agricultural accessory structures, and proposed lot sizes are consistent with these designations.

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

The property is designated for Agricultural uses, which allows for incidental residential uses. 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 for the existing agricultural land use and future residential development.

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

Two proposed home sites, one for each proposed parcel, is consistent with the density.

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 determined to exist based on application review.

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.

The project site does not front on any public waterway, river, stream, coastline, shoreline, lake or 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.

The project site does not front on any public waterway, public river, or public stream.

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. 254. The property is currently utilized for commercial agricultural purposes consistent with the Williamson Act. The newly created parcel 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 agricultural subdivisions.

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. The Environmental Health Services Division has determined that the subdivision design as conditioned complies with Chapter 25 of the County Code for sewage disposal.

17. The Public Works Division of the Department of Resource Management has determined that the subdivision design, as conditioned, complies with the Road Improvement Standards and Land Development and Subdivision Requirements as required by Chapter 28 of the Solano County Code (Zoning Ordinance) and referred to in Chapter 26 (Subdivision Ordinance).

Resolved, the Solano County Board of Supervisors determines that the project qualifies for Section 15061(b)(3) of the California Environmental Quality Act.

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-18-04, 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 Schroeder", received by the Department of Resources Management on August 13, 2018 and prepared by Ty Hawkins LS 7973; on file with the Solano County Planning Services Division, except as modified herein.

Public Works Division

2. Prior to the recordation of the final Parcel Map, the subdivider shall dedicate to the County of Solano in fee a minimum 30 foot right of way half width for Schroeder and Thissel Roads along the frontages of the subject properties as shown on the tentative map.
3. Prior to recordation of the final Parcel Map, the subdivider shall obtain and record a minimum 50-foot-wide access and utility easement to meet Solano County Subdivision Ordinance requirements for adequate access from Schroeder Road, along the southern property boundary of Parcel One as shown on the tentative map.
4. Prior to recordation of the final Parcel Map, the subdivider shall construct the private roadway in accordance with the County of Solano Road Improvement Standards for private roads, serving two parcels. The roadway shall be constructed within the 50-foot roadway and utility easement on the southern property boundary of Parcel One at the access location shown.
5. The Subdivider, or any subsequent builder, shall apply for, secure and abide by the conditions of an encroachment permit from Solano County Public Works-Engineering for all work within the Solano County rights-of-way including, but not limited to, the private road connection to Schroeder Road.
6. The Subdivider, or any subsequent builder, shall apply for, secure and abide by the conditions of a grading permit from Solano County Public Works-Engineering prior to the performance of any grading work associated with any subdivision improvements or individual lot development.
7. Prior to filing of the final Parcel Map, a road maintenance agreement shall be recorded, requiring the parcel owners in the subdivision to participate in the maintenance of the private road serving the parcels from Schroeder Road. The maintenance agreement shall include, but not be limited to, all roadway improvements, culverts and ditches within the subdivision. The agreement shall be submitted and approved by Solano County Public Works Engineering prior to recordation.

Environmental Health Services Division

8. The construction of on-site sewage disposal system shall be approved under permit as issued by the Environmental Health Division and shall include site inspection, construction inspection, and will require an annual operational permit if an engineered type alternative sewage disposal system is required (Solano County Code, Chapter 6.4 Sewage Disposal Standards).
9. A domestic drinking water well or municipal water service is required to provide potable water to each specific parcel, within the boundaries of the recognized parcel, prior to the issuance of any residential building permit.

Solano Irrigation District

10. Per the Solano Irrigation District's (SID) Rules and Regulations, the subdivider is required to provide a water service to all newly created parcels. The Parcel Map shall include SID's Statement for District approval.
11. Prior to recordation of the Parcel Map, the SID Engineer, to the extent of existing records, will identify existing SID facilities within the scope of a project. Per the SID record drawings, there is currently an 18-inch water service located at the northwest corner of the property. The existing service shall be split to provide water to the new parcel and individual service installed to each property. The landowner may have SID design and install the new service(s) or may have their Engineer design the new service(s), to be reviewed and approved by SID, and their contractor perform the construction under SID inspection.
12. The final Parcel Map shall include an easement to proposed Parcel 1 from proposed Parcel 2 for the installation and maintenance of a private irrigation water conveyance facility.
13. The final Parcel Map shall include an easement dedicated to proposed Parcel 2 from proposed Parcel 1 for the installation and maintenance of a private drainage water conveyance facility.
14. The subdivider must sign a SID work order. The work order is the mechanism to which all fees and charges associated with SID staff time and/or materials will be charged for reimbursement from the landowner.
15. Electronic AutoCAD files are required upon the completion of the project showing "as-builts" for electronic archiving.
16. Solano Irrigation District's main drain is located parallel and adjacent to the easterly property boundary. Prior to the recordation of the Parcel Map, any improvements or changes to the existing crossing shall be reviewed and approved by the District.
 - a. The landowner shall submit plans and calculations, prepared by a licensed Engineer, for the proposed crossing modifications.
 - b. The proposed improvement shall not result in a decrease in flow capacity of the drain.
 - c. Depending on the existing culvert pipe material and conditions, the landowner may be responsible for removing and replacing the existing culvert, in addition to any new culvert, at the landowner's expense.
 - d. Prior to construction, the landowner shall be required to apply for and receive an Encroachment Permit.

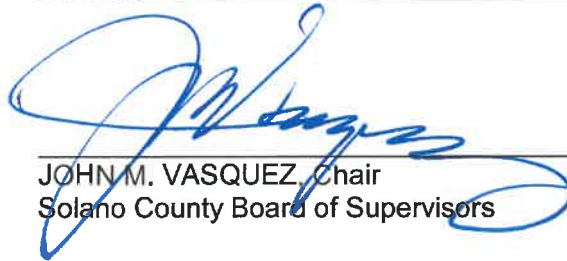
RESOLVED, the Director of the Department of Resource Management shall file a Parcel Map for the newly created parcels once all conditions of approval have been satisfied by the applicant.

Passed and adopted by the Solano County Board of Supervisors at its regular meeting on Dec. 11, 2018, by the following vote:

AYES: SUPERVISORS Hannigan, Brown, Spering, Thomson
and Chair Vasquez

NOES: SUPERVISORS None.

EXCUSED: SUPERVISORS None.



JOHN M. VASQUEZ, Chair
Solano County Board of Supervisors

ATTEST:
BIRGITTA E. CORSELLO, Clerk
Solano County Board of Supervisors

By: 

Jeanette Neiger, Chief Deputy Clerk