

# **SOLANO COUNTY PLANNING COMMISSION**

## **RESOLUTION NO. 4670**

---

**WHEREAS**, the Solano County Planning Commission has considered Minor Subdivision Application No. MS-17-06 of **Hubert and Aurelia Goudie et. al.** to subdivide two existing parcels into three lots. The property is located at 4420 Peaceful Glen Road, 2.5 miles north of the City of Vacaville, within the Rural Residential and Exclusive Agriculture Zoning Districts; APN's 0105-060-390 and 40, and;

**WHEREAS**, the Commission has reviewed the report of the Department of Resource Management and heard testimony relative to the subject application at the duly noticed public hearing held on March 21, 2019, and;

**WHEREAS**, after due consideration, the Planning Commission has made the following findings in regard to said proposal:

### **Subdivision Ordinance**

- 1. 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 District and agricultural use of Proposed Parcel 2 is also consistent with the General Plan designation.

- 2. 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.

- 3. 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.

- 4. 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.

- 5. 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).

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

The subdivision will not cause serious health problems.

**7. 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.

**8. 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.

**9. The property does not front on any public waterway, public river, public stream, coastline, shoreline, publicly owned lake or publicly owned reservoir.**

**10. 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.**

**11. The proposed subdivision is not entered into a contract pursuant to the California Land Conservation Act of 1965.**

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

The subdivision does not involve hazardous waste.

**13. 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.

**California Environmental Quality Act**

**14. 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.

**BE IT, THEREFORE, RESOLVED**, that the Planning Commission of the County of Solano does hereby approve Minor Subdivision Application No. MD-17-06 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 February 5, 2019; 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, 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 new private roadway connection to Timm Road, within the proposed private access easements at the locations shown on the Tentative Parcel Map. The existing private driveway connection to Timm Road may continue to serve APN 0105-060-240 (7595 Timm Road).
6. The final Parcel Map shall provide a sixty-foot (60') wide private access easement across Parcel 1 providing adequate access to Parcel 3, as shown on the Tentative Map.

7. The final Parcel Map shall provide a sixty-foot (60') wide private access easement across the parcel identified as APN 0105-060-240 providing access to Parcel 2 at the location shown on the Tentative Map.
8. The final Parcel Map shall provide a sixty-foot (60') wide Irrevocable Offer of Dedication (IOD) for a public road across the parcel identified as APN 0105-060-240 at the location of the proposed private access easement from Timm Road, as shown on the Tentative Map.
9. The final Parcel Map shall provide a sixty-foot (60') wide Irrevocable Offer of Dedication (IOD) across Parcel 2 (extension of the IOD across the parcel identified as APN 0105-060-240) to provide access to the parcel identified as APN 0105-090-040 at the location of the proposed private access easement shown on the Tentative Map. The turnaround must be shown dimensionally within Parcel 2, though the easement must provide at least 60 feet of width at its interface with APN 0105-090-040.
10. 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, and within the private access easement as shown on the Tentative Map.
11. Prior to the recordation of the final Parcel Map, the Subdivider shall construct a private roadway from Timm Road to Parcel 2 in accordance with County of Solano Road Improvement Standards for private roads serving 2 – 10 parcels, which includes: a 20 foot double chip seal traveled way, 4 foot graded shoulders for a total width of 28 feet, within the proposed 60 foot right-of-way. The private roadway shall be constructed from the connection to Timm Road, across the parcel identified as APN 0105-060-240 to Parcel 2 within the IOD and proposed private access easement shown on the Tentative Map. Further subdivision of either Proposed Parcel 2 or APN 0105-060-240 shall trigger the need to upgrade the construction of the road to the Road Improvement Standards set forth for roads serving 11 or more parcels.
12. Prior to the recordation of the final Parcel Map, the Subdivider shall construct a private roadway within the IOD and proposed private access easement across Parcel 2 shown on the Tentative Map in accordance with County of Solano Road Improvement Standards for private roads serving 2 – 10 parcels, which includes: a 20 foot double chip seal traveled way, 4 foot graded shoulders for a total width of 28 feet, within the proposed 60 foot right-of-way. providing access to the parcel identified as APN 0105-090-040. Further subdivision of either Proposed Parcel 2 or APN 0105-060-240 shall trigger the need to upgrade the construction of the road to the Road Improvement Standards set forth for roads serving 11 or more parcels.
13. 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.
14. 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 any onsite grading.

15. Prior to the filing of the final Parcel Map, road maintenance agreement(s) shall be recorded that requires all lot owners within 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 0105-060-240.

\*\*\*\*\*

I hereby certify that the foregoing resolution was adopted at the regular meeting of the Solano County Planning Commission on March 21, 2019 by the following vote:

AYES:	Commissioners	<u>Rhoads-Poston, Cayler and Chairman Walker</u>
NOES:	Commissioners	<u>Hollingsworth and Bauer</u>
EXCUSED:	Commissioners	<u>None</u>

By:   
Bill Emlen, Secretary