



Agenda Submittal

Agenda #: 31 **Status:** Regular Calendar
Type: Resolution **Department:** Resource Management
File #: 20-332 **Contact:** Eric Wilberg, 784-3167
Agenda date: 4/28/2020 **Final action:** 4/28/2020
Title: Conduct a noticed public hearing to consider Minor Subdivision Application No. MS-19-01 of Lanza Vineyards Inc. to subdivide 90.31 acres under Land Conservation Contract into four parcels of 20 acres or larger (The property is 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)
Governing body: Board of Supervisors
District: All
Attachments: 1. A - Resolution, 2. B - Tentative Parcel Map, 3. C - Negative Declaration, 4. D - Presentation, 5. E - Public Notice, 6. Adopted Resolution, 7. Minute Order

Date	Ver.	Action By	Action	Result
4/28/2020	1	Board of Supervisors		

Published Notice Required? Yes X No
Public Hearing Required? Yes X No

DEPARTMENTAL RECOMMENDATION:

The Department of Resource Management recommends that the Board of Supervisors:

- 1) Conduct a noticed public hearing;
- 2) Adopt the attached resolution to:
 - a. Make the determination that the Negative Declaration prepared pursuant to the California Environmental Quality Act is adequate and consistent with CEQA Guidelines , and
 - b. Approve Minor Subdivision Application No. MS-19-01 subdividing a 90.31-acre parcel in to four parcels of 20 acres or larger, based on the findings and subject to the recommended conditions of approval including a finding that the Minor Subdivision is consistent with the Solano County Uniform rules and Procedures relative to Williamson Act contracts.

SUMMARY:

Pursuant to the provisions of the California Subdivision Map Act [Gov. Code Section 66474.4(a)], the Board of Supervisors is required to take action on all subdivisions involving lands under Williamson Act contract. The subject property was entered into Williamson Act contract No. 438 on January 26, 1970. The applicant proposes to subdivide 90.31 acres into four (4) lots.

PUBLIC NOTICE REQUIREMENT

In accordance with Solano County Zoning Regulations and Subdivision Ordinance notice of a public hearing

was published at least 15 days before the scheduled hearing in the Fairfield Daily Republic. In addition, all property owners of real property as shown on the latest equalized assessment roll within 300-feet of the property and all persons requesting notice of the public hearing were mailed notices of the hearing.

FINANCIAL IMPACT:

The applicant has paid the minor subdivision application fees. The property is currently under an active Williamson Act Contract and would remain so after subdivision. It is anticipated that the creation of two additional parcels would generate new assessments from the County Assessor's office; however, the land devoted to commercial agricultural production would not change. The costs associated with preparing the agenda item are nominal and absorbed by the department's FY2019/20 Adopted Budget.

DISCUSSION:

Setting

The subject site is located along Suisun Valley Road, 2 miles northwest of the City of Fairfield. The entire 90-acre site is relatively flat exhibiting slopes of less than six percent. The property is devoted to the commercial agricultural production of vineyards, typical for the Suisun Valley Agricultural Region. The subject site is effectively segmented into four vineyard blocks, framed by interior dirt farm access roads.

The trapezoid shaped project area is comprised of two existing legal lots created via Minor Subdivision MS-86-10 and subsequent Certificate of Compliance recorded May 29, 1986. The site is bordered to the north by the Solano Irrigation District's Putah South Canal; to the east by Suisun Valley Road; to the south by an agricultural parcel; and to the west by Suisun Creek. Development onsite consists of a 3,300-square-foot residence and two accessory structures all located on the western half of the property, set back more than ¼ mile from Suisun Valley Road. Residential development is served by existing on-site domestic water well and private septic system. A 1.5-acre graveled parking lot is located near the south east corner of the property. The lot serves as overflow and event parking for Wooden Valley Winery located across Suisun Valley Road.

Surrounding parcels exhibit characteristics similar to that of the subject site. Parcels are generally 20 acres in size and predominantly planted with vineyards.

Project Description

The applicant Lanza Vineyards Inc. is proposing to subdivide 90.31 acres of agricultural property under Land Conservation Contract (Williamson Act Contract No. 438) into four parcels.

Proposed Parcel A is 21.09 acres in size, undeveloped, and planted in vineyard. Proposed Parcel B is 20.85 acres in size, undeveloped, and planted in vineyard. Proposed Parcel C is 21.23 acres in size, developed with a 1.5-acre gravel parking lot, and planted in vineyard. Proposed Parcel D is 27.15 acres in size, developed with a 3,300-square-foot single family residence, accessory structures, and planted in vineyard.

Domestic Water and Sewage Disposal

The Tentative Parcel Map identifies three proposed home sites, primary and reserve leach fields, and domestic water well locations for each of the undeveloped lots to accommodate the potential for future residential development.

Solano County Code, Sections 6.4-32, 6.4-81, 6.4-81.1, and 6.4-81.2, requires that all proposed parcels be supported by on-site sewage disposal systems to be tested for adequacy of such systems and designate both a primary and reserve area for the construction of on-site sewage disposal system leach fields.

A groundwater well is required within the boundaries of each approved parcel, prior to an application for building permit(s). The undeveloped parcels are not required to demonstrate a water source prior to Parcel Map, as the area is not considered to have quantity and yield restrictions for water well development. A potable groundwater source is required prior to issuance of a residential building permit.

Access and Circulation

Access to each of the four proposed lots would be via 22-foot-wide private road within a proposed 60-foot-wide access and utility easement extending westerly off Suisun Valley Road. Private driveways would extend off the private roadway to serve future home sites. The existing residence on Proposed Parcel D currently utilizes an existing driveway with connection to Suisun Valley Road.

Agricultural Water Service

Solano Irrigation District (SID) provides irrigation water to the property for agriculture use. Each parcel will be required to provide a separate water service prior to recordation of the Parcel Map, as recommended by the conditions of approval.

Consistency Analysis

Williamson Act

On January 26, 1970 the subject property was entered into Land Conservation Contract, Williamson Act Contract No. 438. The Solano County Uniform Rules and Procedures Governing Agricultural Preserves and Land Conservation Contract stipulates the procedure for processing subdivision applications of contracted land, outlines specific findings, and establishes minimum parcel sizes.

The Board of Supervisors is the hearing authority for subdivisions of contracted land. In addition, land subject to conservation contract shall not be subdivided unless all parcels created by the subdivision will comply with the following applicable minimum size requirement:

For parcels zoned A-SV-20, the minimum parcel size for new parcels created within preserves is 20 acres. Each of the four proposed parcels exceed the 20-acre minimum parcel size.

The proposed parcel configuration would not alter exterior contract boundaries; therefore, replacement contracts are not required.

In addition to all other requirements applicable to a subdivision, a subdivision involving one or more parcels under land conservation contract shall not be approved unless the Board of Supervisors makes the findings required by Gov. Code Section 66474.4(a). These Rules and Procedures may be used to support the required findings, as follows:

- 1) The requirement that resulting parcels be 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) that resulting parcels be at least 20, 41 or 80 acres; and
- 2) The requirement that 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).

Policy of the Department of Resource Management is that the approval of a minor subdivision, with the potential for residential development incidental to commercial agricultural production on-site, is consistent with the Williamson Act. Any development on Williamson Act Lands 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. No development is proposed as part of this subdivision.

The predominant land use on the property is the commercial agricultural production of vineyards and will remain so after subdivision. All lot sizes exceed the minimum acreage requirements prescribed under the County Williamson Act Regulations, General Plan Designation, and Zoning District (20-acres) and satisfy the size requirement to agricultural production within this region of the County. The project is consistent with the Solano County Uniform Rules and Procedures Governing Agricultural Preserves and Land Conservation Contracts.

General Plan

The General Plan Land Use Diagram designates the project site Agriculture. In addition, the property 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).

Each of the four proposed parcels exceed the 20-acre minimum parcel size endorsed by the General Plan. In addition, the property's agricultural use of the land is encouraged throughout the Land Use Chapter of the General Plan. The land use and lot sizes are consistent with the Land Use and Agriculture Chapters of the General Plan.

Zoning

The site is located within the Suisun Valley Agriculture "A-SV-20" Zoning District. As seen on the General Plan/Zoning Consistency Table (Table LU-7 General Plan), the A-SV-20 Zoning is consistent with the Agricultural General Plan Designation. The property is currently planted in vineyards. The existing vineyards would be divided amongst the four proposed lots and exceed the 20-acre minimum parcel size specified under zoning. Both the existing land use and proposed lot sizes are consistent with the zoning district.

Environmental Analysis

The Department of Resource Management prepared an Initial Study and found no potentially significant adverse environmental impacts likely to occur and determined that the project qualifies for a Negative Declaration. Notice of Intent to Adopt the Negative Declaration was posted February 12, 2020. Public comment period closed on March 3, 2020. No comments have been submitted to the Department.

ALTERNATIVES:

- A. Continue this item to another hearing for further consideration. This option is not recommended unless the Board desires additional specific information, which cannot be obtained during this public hearing.
- B. Deny the subdivision request. This is not recommended because the proposal meets or exceeds all development standards associated with a minor subdivision.

OTHER AGENCY INVOLVEMENT:

The County Administrator and County Counsel have reviewed this item and concur with the Department of Resource Management's recommended action.

CAO RECOMMENDATION:

APPROVE DEPARTMENTAL RECOMMENDATION