



Legislation Text

File #: 18-762, **Version:** 1

Conduct a noticed public hearing to consider adoption of a resolution approving Minor Subdivision Application No. MS-18-04 of Edward Kenneth Jr. & Cheryl Schroeder to subdivide 82 gross acres under Williamson Act Contract No. 254 in to two parcels (Will remain under Contract No. 254) located at 8307 Schroeder Road, 1.5 miles west of the City of Dixon, zoned Exclusive Agriculture - 40 acre minimum (A-40) (Continued from November 6, 2018 meeting)

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 public hearing;
2. Determine that a Notice of Exemption is appropriate per Section 15061.b.3 of the California Environmental Quality Act; and
3. Adopt the resolution approving Minor Subdivision Application No. MS-18-04 to subdivide 82 gross acres under Williamson Act contract no. 254 into two parcels of 41 acres respectively (Will remain under Contract No. 254), subject to the findings and conditions of approval in the attached Resolution.

SUMMARY:

The proposed minor subdivision had previous Board of Supervisor approval in 2012. However, the approval expired and on July 6, 2018, the owners resubmitted the application to subdivide. The proposal is similar to the 2012 application, subdividing 82 acres in to two parcels of 41 acres in size, accessed by an existing private driveway off Schroeder Road. The property is currently zoned Exclusive Agriculture 40 acre minimum (A-40) and under Williamson Act contract no. 254.

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.

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 and the Dixon Tribune. In addition, all property owners of real property as shown on the latest equalized assessment roll within one-half mile of the property and all persons requesting notice of the public hearing were mailed notices of the hearing.

FINANCIAL IMPACT:

This subdivision application has no effect on the General Fund. The applicant has paid the costs associated with the subdivision application. The property is currently under an active Williamson Act contract. There will

be no increase or decrease in the amount of land under contract, therefore assessments shall remain unchanged. The costs associated with preparing the agenda item are nominal and absorbed by the department's FY2018/19 Adopted Budget.

DISCUSSION:

Project Description:

The applicant proposes to subdivide APN 0108-060-040 into two parcels of 41.09 and 42.12 acres. The property is currently an almond and walnut orchard, developed with several agricultural buildings. The property has frontage off Thissel and Schroeder Road, and Solano Irrigation District (SID) canals border the property. A homesite, 150 feet x 100 feet in size, are proposed on each parcel, accessed through an existing driveway off Schroeder Road. Septic and wells are proposed.

Access

The future home sites on the property will utilize the existing 30-foot wide gravel driveway off Schroeder Road. The existing road easement will be widened to 50 feet per County Road Improvement Standards and a private road maintenance agreement shall be required for both properties. Improvements or modifications, subject to SID approval, to the existing ditch off Schroeder Road will be required to cross over the ditch. Dedication in fee for half-width of 30 feet for Thissel and Schroeder Road will be required.

Domestic Water and Sewage Disposal

Solano County Code, Sections 6.4-32, 6.4-81, 6.4-81.1, and 6.4-81.2, requires that all parcels proposed to be created and 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 leachfields. Conditions of approval are included that address these requirements.

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.

Solano Irrigation District (SID):

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.

Environmental Analysis:

Planning staff recommends that the Board determine the project exempt from the California Environmental Quality Act pursuant to Section 15061(b)(3). Based on current zoning designations, the project would increase the number of potential primary residential units to two (2). The increase of additional units will not create significant traffic impacts. 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.

General Plan and Zoning Consistency:

The General Plan Land Use Diagram (Figure LU-1, General Plan) designates this parcel Agriculture. In addition, the property is located within the Dixon Ridge Agricultural Region as seen on Figure AG-4 of the General Plan. Property located within this region is required to maintain a minimum lot size of forty (40) acres. The property is zoned Exclusive Agriculture 40 acre minimum (A-40).

The General Plan's objective and zoning standards require maintaining a 40-acre minimum lot size for agricultural parcels within this region is to provide for viable agricultural production, agricultural processing facilities, and agricultural services (General Plan page AG-21).

The property is currently utilized for agricultural production of almonds and walnuts. Each of the two proposed parcels exceeds the forty acre minimum lot size requirements set forth within the General Plan and zoning. The land use and lot size are consistent with the General Plan and zoning.

Williamson Act Consistency:

In 1969, the property was entered into a Land Conservation Contract, Williamson Act contract No. 254. Section VII (A) (1) of the Solano County Uniform Rules and Procedures Governing Agricultural Preserves and Land Conservation Contracts states; *Except for parcels zoned A-SV-20, the minimum parcel size for new parcels created within preserves established prior to December 27, 1977, is 41 acres.* The proposed parcels remain in agricultural production and exceed the 41 acre minimum lot size under the County's Williamson Act Rules and Regulations.

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