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# SOLANO COUNTY ZONING ADMINISTRATOR

# Staff Report Minor Subdivision MS-17-07

Application No. MS-17-07 Project Planner: Eric Wilberg, Planner Associate	Meeting of July 19, 2018 Agenda Item No. 4
Applicant Shane Petersen & Marie Nguyen 2252 Morrison Lane Fairfield, CA 95688	Property Owner same

# **Action Requested**

Consideration and approval of Minor Subdivision MS-17-07 to subdivide a 45.02 acre parcel into two lots of 20 and 25.02 acres. The property is located at 2252 Morrison Lane, 2.5 miles west of the City of Fairfield within the Suisun Valley Agriculture "A-SV-20" Zoning District; APN 0153-140-190.

Property Information		
Size: 45.02 acres	Location: 2252 Morrison Lane	
APNs: 0153-140-190		
Zoning: Suisun Valley Agriculture	Land Use: Residential, fallow	
General Plan: Agriculture	Ag. Contract: n/a	
Utilities: domestic well and private septic Access: Morrison Lane		

# Adjacent General Plan Designation, Zoning District, and Existing Land Use

•	General Plan	Zoning	Land Use
North	Agriculture	Suisun Valley Agriculture "A-SV-20"	Residential, dry farming
South	Agriculture	Exclusive Agriculture "A-20"	Oak woodland, vineyard, canal
East	Agriculture	Suisun Valley Agriculture "A-SV-20"	Residential, dry farming, vineyard
West	Agriculture	Exclusive Agriculture "A-20"	Vineyard, canal, residential

# **Environmental Review**

The project qualifies for an Exemption from the California Environmental Quality Act pursuant to CEQA Guidelines Section 15061(b)(3), General Rule exemption.

# **Motion to Approve**

The Zoning Administrator does hereby ADOPT the attached resolution and APPROVE Minor Subdivision MS-17-07 based on the enumerated findings and subject to the recommended conditions of approval.

#### SETTING

The subject site is located at 2252 Morrison Lane (County Road No. 372), 2.5 miles west of the City of Fairfield. The property is situated within a predominantly agricultural setting identified as the Suisun Valley Agricultural Region in the Solano County General Plan. The parcel is 45.02 acres in size and is relatively flat, exhibiting slopes of less than six percent. The site is bound to the north by Morrison Lane; to the east by an agricultural parcel; to the south by irrigation canal and oak woodlands, and to the west by irrigation canal and vineyards beyond. Two drainage ditches bisect the northerly portion of the parcel. Development on-site is clustered near the northeast corner of lot and consists of a 1,100 square foot single family residence, 1,500 sq. ft. greenhouse, and small shed. Surrounding parcels exhibit characteristics similar to that of the subject site. Lots are generally 20 – 40 acres in size and are utilized primarily for dry farming or vineyard cultivation with residences interspersed throughout the agricultural landscape.

#### PROJECT DESCRIPTION

The proposed project involves subdividing the generally rectangular shaped 45.02 acre parcel into two lots. The proposed property line would bisect the property, running east-west through the parent parcel.

The northern proposed parcel (2-A) is 20 acres and would retain existing residential development and drainage channel infrastructure. Access to Parcel 2-A will be from an existing asphalt driveway connected to Morrison Lane.

The southern proposed parcel (2-B) is 25.02 acres and undeveloped. A suitable home site along with primary and reserve leach fields have been identified on the tentative parcel map should residential development be pursued in the future. The lot is not identified as being within a water scarce area. A new domestic water well would serve any future development. A 40 foot wide access and utility easement is proposed along the western property line to serve the lot. An existing gravel driveway is developed in this area and runs parallel to the western property line. A second Solano Irrigation District service will be installed by the subdivider within the easement to provide irrigation water to Parcel 2-B.

# LAND USE CONSISTENCY

General Plan & Zoning

The General Plan Land Use Diagram designates the subject property Agriculture. In addition, the parcel 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 district is consistent with the Agriculture General Plan Designation. Each proposed lot meets the 20 acre minimum parcel size required by zoning. Both the existing agricultural land use and proposed lot sizes are consistent with the applicable General Plan designation and zoning district.

Road Improvement and Land Development Standards

Each proposed parcel shall have access to Morrison Lane by separate private driveways. Morrison Lane adjoining the proposed subdivision currently has a width of sixty feet for the road right-of-way. Morrison Lane meets the Solano County Road Improvement Standards.

Solano County Public Works Engineering recommends the following conditions be placed on any approval of the Tentative Parcel Map:

1. Subdivider shall abide by the comments from the Solano Irrigation District. Prior to the recordation of the parcel map the subdivider shall quitclaim the District's existing

20' easement recorded with Solano County Official Records in Book 1036 at Page 162. Quitclaim recording information shall be placed on the face of the final map.

- The Subdivider shall widen the proposed access and utility easement to 50 feet, per County of Solano Road Improvement Standards. The easement shall be contained within the owner's statement of the title sheet and on the map sheet of the final recorded parcel map.
- 3. Prior to the issuance of a building permit for any of the proposed parcels the applicant shall apply for, secure and abide by the conditions of an encroachment permit for any planned or any existing driveway connections to Morrison Lane. All private driveway connections to public roads shall meet Solano County Road Improvement Standards and Land Development Requirements.
- 4. Prior to the issuance of a building permit on any proposed parcel, all access driveways shall be constructed per County of Solano Road Improvement Standards. This condition shall be superseded by comments by the Cordelia Fire Protection District, whichever is greater.
- 5. Prior to the construction of any access driveways, building pads, or issuance of a building permit for any of the parcels the owner of said parcel shall apply for, secure and abide by the conditions of a grading permit for all onsite grading related to the subdivision. The owner shall submit grading plans for the proposed improvements to Public Works Engineering. Grading plans shall be prepared by a licensed Civil Engineer. The plans shall be reviewed and approved by the appropriate official from Public Works Engineering.

# **ENVIRONMENTAL ANALYSIS (CEQA)**

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.

No residential development is proposed as part of the project; however a suitable home site along with primary and reserve leach fields have been identified on undeveloped Proposed Parcel 2-B. The project will accommodate one additional primary residence intended to support agricultural operations on that lot. Proposed Parcel 2-A is developed with a single family residence and associated utilities. 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.

#### RECOMMENDATION

Staff recommends that the Zoning Administrator **ADOPT** the enumerated findings, and **APPROVE** Minor Subdivision MS-17-07, subject to the recommended conditions of approval.

# **MANDATORY FINDINGS**

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 Agriculture. This designation authorizes the site to be utilized for commercial agricultural production as well as incidental residential development. The existing land use and proposed parcel sizes are consistent with the intent of the Agricultural designation.

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

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

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

Parcel 2-A is developed with a primary dwelling. A primary home site and supporting utilities have been identified on the Tentative Parcel Map to accommodate any future residential development on Parcel 2-B. Parcel sizes could accommodate commercial agricultural production typical of the Suisun Valley agricultural region.

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

Parcel 2-A is developed with a primary dwelling. A primary home site and supporting utilities have been identified on the Tentative Parcel Map to accommodate any future residential development on Parcel 2-B.

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.

The additional proposed home site is located outside any existing or proposed 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.

#### ADDITIONAL FINDINGS

14. 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.

# **CONDITIONS OF APPROVAL**

1. The Parcel Map to be recorded shall be in substantial compliance with the Tentative Parcel Map of the lands of Petersen / Nguyen prepared by Ty Hawkins LS 7973, dated October 2017; on file with the Solano County Planning Division, except as modified herein.

# **Building & Safety Division**

2. 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

3. 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.

# Solano County Public Works - Engineering Services Division

- 4. Subdivider shall abide by the comments from the Solano Irrigation District. Prior to the recordation of the parcel map the subdivider shall quitclaim the District's existing 20' easement recorded with Solano County Official Records in Book 1036 at Page 162. Quitclaim recording information shall be placed on the face of the final map.
- 5. The Subdivider shall widen the proposed access and utility easement to 50 feet, per County of Solano Road Improvement Standards. The easement shall be contained within the owner's statement of the title sheet and on the map sheet of the final recorded parcel map.
- 6. Prior to the issuance of a building permit for any of the proposed parcels the applicant shall apply for, secure and abide by the conditions of an encroachment permit for any planned or any existing driveway connections to Morrison Lane. All private driveway connections to public roads shall meet Solano County Road Improvement Standards and Land Development Requirements.
- 7. Prior to the issuance of a building permit on any proposed parcel, all access driveways shall be constructed per County of Solano Road Improvement Standards. This condition shall be superseded by comments by the Cordelia Fire Protection District, whichever is greater.
- 8. Prior to the construction of any access driveways, building pads, or issuance of a building permit for any of the parcels the owner of said parcel shall apply for, secure and abide by the conditions of a grading permit for all onsite grading related to the subdivision. The owner shall submit grading plans for the proposed improvements to Public Works Engineering. Grading plans shall be prepared by a licensed Civil Engineer. The plans shall be reviewed and approved by the appropriate official from Public Works Engineering.

# Solano Irrigation District

- **9.** Per the District's Rules and Regulations, the subdivider is required to provide a water service to all newly created parcels.
- 10. The parcel is currently provided water through an existing 2" service to an owner's pump located at the northwest corner of the property. The existing service will continue to provide water to Proposed Parcel 2-A.
- 11. The owner shall be required to install a second service to provide agricultural irrigation water to Proposed Parcel 2-B. The new service may either be designed by the District or designed by the owner's Engineer under the review and approval of the District.
- 12. The District will draft a Waiver of High Point Service to be signed by the owner and recorded on Proposed Parcel 2-B as the District is unable to provide one (1) foot of head over the highest point of the field.

- 13. With the recording of the parcel map, the owner shall quitclaim the District's existing 20' easement recorded with Solano County Official Records in Book 1036 at Page 162. The quitclaim value shall be calculated using the area of the easement at one-half (1/2) the assessed value.
- 14. The landowner must sign a District work order prior to recording of the Parcel Map. The work order is the mechanism to which all fees and charges associated with District 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 "asbuilts" for electronic archiving.

#### Attachments:

A - Draft Resolution

B - Assessor's Parcel Map

C - Tentative Parcel Map

# SOLANO COUNTY ZONING ADMINISTRATOR RESOLUTION NO. XX

WHEREAS, the Solano County Zoning Administrator has considered Minor Subdivision Application No. MS-17-07 of Shane Petersen and Marie Nguyen to subdivide a 45.02 acre parcel into two lots of 20 and 25.02 acres. The property is located at 2252 Morrison Lane, 2.5 miles west of the City of Fairfield within the Suisun Valley Agriculture "A-SV-20" Zoning District, APN: 0153-140-190, and;

WHEREAS, said Zoning Administrator 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 July 19, 2018, and;

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

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 Agriculture. This designation authorizes the site to be utilized for commercial agricultural production as well as incidental residential development. The existing land use and proposed parcel sizes are consistent with the intent of the Agricultural designation.

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

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

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

Parcel 2-A is developed with a primary dwelling. A primary home site and supporting utilities have been identified on the Tentative Parcel Map to accommodate any future residential development on Parcel 2-B. Parcel sizes could accommodate commercial agricultural production typical of the Suisun Valley agricultural region.

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

Parcel 2-A is developed with a primary dwelling. A primary home site and supporting utilities have been identified on the Tentative Parcel Map to accommodate any future residential development on Parcel 2-B.

**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.

The additional proposed home site is located outside any existing or proposed 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.

14. 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.

**BE IT THEREFORE RESOLVED,** that the Zoning Administrator has approved the application 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 of the lands of Petersen / Nguyen prepared by Ty Hawkins LS 7973, dated October 2017; on file with the Solano County Planning Division, except as modified herein.

# **Building & Safety Division**

2. The applicant 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.

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3. 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.

# Solano County Public Works - Engineering Services Division

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- 7. Prior to the issuance of a building permit on any proposed parcel, all access driveways shall be constructed per County of Solano Road Improvement Standards. This condition

shall be superseded by comments by the Cordelia Fire Protection District, whichever is greater.

8. Prior to the construction of any access driveways, building pads, or issuance of a building permit for any of the parcels the owner of said parcel shall apply for, secure and abide by the conditions of a grading permit for all onsite grading related to the subdivision. The owner shall submit grading plans for the proposed improvements to Public Works Engineering. Grading plans shall be prepared by a licensed Civil Engineer. The plans shall be reviewed and approved by the appropriate official from Public Works Engineering.

# **Solano Irrigation District**

- 9. Per the District's Rules and Regulations, the subdivider is required to provide a water service to all newly created parcels.
- 10. The parcel is currently provided water through an existing 2" service to an owner's pump located at the northwest corner of the property. The existing service will continue to provide water to Proposed Parcel 2-A.
- 11. The owner shall be required to install a second service to provide agricultural irrigation water to Proposed Parcel 2-B. The new service may either be designed by the District or designed by the owner's Engineer under the review and approval of the District.
- 12. The District will draft a Waiver of High Point Service to be signed by the owner and recorded on Proposed Parcel 2-B as the District is unable to provide one (1) foot of head over the highest point of the field.
- 13. With the recording of the parcel map, the owner shall quitclaim the District's existing 20' easement recorded with Solano County Official Records in Book 1036 at Page 162. The quitclaim value shall be calculated using the area of the easement at one-half (1/2) the assessed value.
- 14. The landowner must sign a District work order prior to recording of the Parcel Map. The work order is the mechanism to which all fees and charges associated with District 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 "asbuilts" for electronic archiving.

I hereby certify that the foregoing resolution was adopted at the regular meeting of the Solano County Zoning Administrator on July 19, 2018.

BILL EMLEN, DIRECTOR
RESOURCE MANAGEMENT

Michael Yankovich

Planning Program Manager



