

Solano County

*675 Texas Street
Fairfield, California 94533
www.solanocounty.com*



Agenda - Final

Thursday, July 18, 2019

7:00 PM

Board of Supervisors Chambers

Planning Commission

Any person wishing to address any item listed on the Agenda may do so by submitting a Speaker Card to the Clerk before the Commission considers the specific item. Cards are available at the entrance to the meeting chambers. Please limit your comments to five (5) minutes. For items not listed on the Agenda, please see "Items From the Public".

All actions of the Solano County Planning Commission can be appealed to the Board of Supervisors in writing within 10 days of the decision to be appealed. The fee for appeal is \$150.

Any person wishing to review the application(s) and accompanying information may do so at the Solano County Department of Resource Management, Planning Division, 675 Texas Street, Suite 5500, Fairfield, CA. Non-confidential materials related to an item on this Agenda submitted to the Commission after distribution of the agenda packet are available for public inspection during normal business hours and on our website at www.solanocounty.com under Departments, Resource Management, Boards and Commissions.

The County of Solano does not discriminate against persons with disabilities and is an accessible facility. If you wish to attend this meeting and you will require assistance in order to participate, please contact Kristine Sowards, Department of Resource Management at (707) 784-6765 at least 24 hours in advance of the event to make reasonable arrangements to ensure accessibility to this meeting.

AGENDA

CALL TO ORDER

SALUTE TO THE FLAG

ROLL CALL

APPROVAL OF AGENDA

APPROVAL OF THE MINUTES

[PC 19-029](#) June 20, 2019 PC Minutes

Attachments: [draft minutes](#)

ITEMS FROM THE PUBLIC:

This is your opportunity to address the Commission on a matter not heard on the Agenda, but it must be within the subject matter jurisdiction of the Commission. Please submit a Speaker Card before the first speaker is called and limit your comments to five minutes. Items from the public will be taken under consideration without discussion by

the Commission and may be referred to staff.

REGULAR CALENDAR

- 1 [PC 19-030](#) CONTINUED PUBLIC HEARING to consider Use Permit Application No. U-18-04 of Ted and Jeri Seifert (The Timbers-Silveyville Christmas Tree and Pumpkin Farm) for an existing Christmas tree and pumpkin farm with concessions, gift shop and amusement activities, with the addition of a proposed event venue consisting of a 3,000 square foot building and adjacent park. The property is located at 6224 Silveyville Road, northwest of the City of Dixon in the Exclusive Agricultural "A-40" Zoning District, APN's: 0108-090-130 and 140. The project qualifies for an Exemption from the California Environmental Quality Act pursuant to CEQA Guidelines. (Project Planner: Michael Yankovich)

Attachments: [A - Application.pdf](#)
[B - U-18-04 CONDITIONS OF APPROVAL.pdf](#)
[C - Vicinity Map.pdf](#)
[D - Aerial Vicinity Map.pdf](#)
[E - Site Plan.pdf](#)
[F - Aerial Site Plan.pdf](#)
[G - Williamson Act Rules and Regs Final 5-11-12.pdf](#)
[H - Draft Resolution.pdf](#)

- 2 [PC 19-031](#) PUBLIC HEARING to consider a recommendation to the Board of Supervisors regarding incorporating policies relative to the Cache Slough region into the General Plan

Attachments: [A - Draft Resolution.pdf](#)
[B - Draft Policies and background text.pdf](#)
[C - Chapter 4 Resources.pdf](#)
[D - Cache Slough Location and Ecosystem Restoration Projects.pdf](#)

ANNOUNCEMENTS AND REPORTS

ADJOURN

To the Planning Commission meeting of August 1, 2019 at 7:00 P.M., Board Chambers, 675 Texas Street, Fairfield, CA



Solano County

675 Texas Street
Fairfield, California 94533
www.solanocounty.com

Agenda Submittal

Agenda #: **Status:** PC Minutes
Type: PC-Document **Department:** Planning Commission
File #: PC 19-029 **Contact:** Kristine Sowards, 784.6765
Agenda date: 7/18/2019 **Final action:**
Title: June 20, 2019 PC Minutes

Governing body: Planning Commission

District:

Attachments: [draft minutes](#)

Date	Ver.	Action By	Action	Result
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MINUTES OF THE SOLANO COUNTY PLANNING COMMISSION

Meeting of June 20, 2019

The regular meeting of the Solano County Planning Commission was held in the Solano County Administration Center, Board of Supervisors' Chambers (1st floor), 675 Texas Street, Fairfield, California.

PRESENT: Commissioners Cayler, Hollingsworth, Bauer, and Chairman Walker

EXCUSED: Commissioner Rhoads-Poston

STAFF PRESENT: Mike Yankovich, Planning Program Manager; Jim Laughlin, Deputy County Counsel; Karen Avery, Senior Planner; Jason Riley, Public Works Engineering; and Kristine Sowards, Planning Commission Clerk

Chairman Walker called the meeting to order at 7:00 p.m. with a salute to the flag. Roll call was taken and a quorum was present.

Approval of the Agenda

The agenda was approved with no additions or deletions.

Approval of the Minutes

The minutes of the regular meeting of May 16, 2019 were approved as prepared.

Items from the Public

There was no one from the public wishing to speak.

Regular Calendar

Item No. 1

CONTINUED PUBLIC HEARING to consider Use Permit Application No. U-18-04 of The Timbers-Silveyville Christmas Tree and Pumpkin Farm (c/o Ted and Jeri Seifert) for an existing Christmas tree and pumpkin farm with concessions, gift shop and amusement activities, and proposed event venue with a 3,000 square foot building and adjacent park. The property is located at 6224 Silveyville Road, northwest of the City of Dixon in the Exclusive Agricultural "A-40" Zoning District, APN's: 0108-090-130 and 140. The project qualifies for an Exemption from the California Environmental Quality Act pursuant to CEQA Guidelines. (Project Planner: Michael Yankovich)

Department staff recommended that the commission defer this matter to the next meeting to allow the applicant additional time to resolve several issues, and to finalize the conditions of approval for the project.

Since there was no one from the public wishing to speak on this matter, a motion was made by Commissioner Cayler and seconded by Commissioner Bauer to continue this item to the regular meeting of July 18, 2019. The motion passed unanimously.

Item No. 2

PUBLIC HEARING to consider Variance Permit Application No. V-19-01 of **Carren Jones-Reisinger** to reduce the setback for a single-family dwelling and garage due to the size of the parcel and adjacent easement. The property is located at 1041 Lewis Avenue, .2 miles east of the City of Vallejo within the Residential Traditional Community "RTC-20" Zoning District, APN: 0074-133-040. The project qualifies for an exemption from the California Environmental Quality Act pursuant to CEQA Guidelines Section 15305, Minor Alterations in Land Use Limitations. (Project Planner: Karen Avery)

Karen Avery, project planner, provided a brief overview of the written staff report. The variance allows the commission to consider the special circumstances applicable to a subject property, including size, shape, topography, location or surroundings when applying the strict application of development standards in the Zoning Ordinance. The applicant is requesting a variance of the 10' side yard setback requirement to allow the placement of a 23'8" x 48' modular home and detached 25' x 20' two-car enclosed garage. The developable area of the subject site is constrained by parcel size, and a 20' easement for Hanley Avenue that runs along the length of the parcel. Based on these circumstances staff recommended that the commission make the findings necessary to approve the variance application request.

Ms. Avery noted a correction to the conditions of approval to change the date in Condition No. 1 to June 20, 2019 and to correct a typographical error in Condition No. 4 to change the word prevision to prevention.

Commissioner Hollingsworth wanted to know the reasoning behind the requirement for a two-car garage. Mr. Yankovich explained that this requirement dates to the 1970's and at that point in time the convention was for a two-car garage. He noted that a waiver provision exists in the zoning code that specifies if a property matches what is already existing in the neighborhood, it could be something that could be considered by the commission.

Chairman Walker referred to the letter that was received from the property owner residing across the street and wanted to know if any additional communication had been received from adjoining properties. Ms. Avery noted that no other letters or comments were received.

Since there were no further questions of staff, Chairman Walker opened the public hearing. There was no one from the public wishing to speak either for or against this matter therefore the public hearing was closed.

A motion was made by Commissioner Cayler and seconded by Commissioner Bauer to adopt the resolution with respect to the mandatory and suggested findings and approve Variance Permit Application No. V-19-01, subject to the recommended conditions of approval as amended by staff. The motion passed unanimously. (Resolution No. 4674)

ANNOUNCEMENTS and REPORTS

There were no announcements or reports.

Since there was no further business, the meeting was **adjourned**.



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Agenda Submittal

Agenda #:	1	Status:	PC-Regular
Type:	PC-Document	Department:	Planning Commission
File #:	PC 19-030	Contact:	Michael Yankovich, 784.6765
Agenda date:	7/18/2019	Final action:	
Title:	CONTINUED PUBLIC HEARING to consider Use Permit Application No. U-18-04 of Ted and Jeri Seifert (The Timbers-Silveyville Christmas Tree and Pumpkin Farm) for an existing Christmas tree and pumpkin farm with concessions, gift shop and amusement activities, with the addition of a proposed event venue consisting of a 3,000 square foot building and adjacent park. The property is located at 6224 Silveyville Road, northwest of the City of Dixon in the Exclusive Agricultural "A-40" Zoning District, APN's: 0108-090-130 and 140. The project qualifies for an Exemption from the California Environmental Quality Act pursuant to CEQA Guidelines. (Project Planner: Michael Yankovich)		
Governing body:	Planning Commission		
District:			
Attachments:	A - Application.pdf B - U-18-04 CONDITIONS OF APPROVAL.pdf C - Vicinity Map.pdf D - Aerial Vicinity Map.pdf E - Site Plan.pdf F - Aerial Site Plan.pdf G - Williamson Act Rules and Regs Final 5-11-12.pdf H - Draft Resolution.pdf		

Date	Ver.	Action By	Action	Result
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RECOMMENDATION:

The Department of Resource Management recommends that the Planning Commission **ADOPT** the mandatory and suggested findings, and **APPROVE** Use Permit No. U-18-04, subject to the recommended conditions of approval in Attachment B.

EXECUTIVE SUMMARY:

The Planning Commission is being asked to consider Use Permit Application No. U-18-04 of Ted and Jeri Seifert (**The Timbers-Silveyville Christmas Tree and Pumpkin Farm**) for an existing Christmas tree and pumpkin farm with concessions, gift shop and amusement activities, and with the addition of a proposed event venue consisting of a 3,000 square foot building and adjacent park. The proposed event venue will host special events such as weddings, anniversaries and birthday celebrations.

ENVIRONMENTAL ANALYSIS:

The project qualifies for a Class I Categorical Exemption from the California Environmental Quality Act pursuant to CEQA Guidelines Section 15304(e), Minor Alterations to Land. This exemption is for "minor temporary uses of land having negligible or no permanent effects on the environment, including carnivals, sales of Christmas trees, etc."

BACKGROUND:

Environmental Setting:

The site is comprised of two parcels (APN's: 0108-090-130 and 140) which together contain 31.8 acres. (See Attachments C-F). The 9.3-acre parcel (0108-090-140) was previously used by the State as a tomato grading station and is entirely developed with pavement and multiple structures. It is also under contract, No. 52, through the Solano County Uniform Rules and Procedures as authorized by the California Land Conservation Act. The 22.5-acre parcel (0108-090-130) is developed with agricultural and residential structures as well as significant areas planted in trees and seasonal crops. It is also under California Land Conservation Act contract No. 52.

The Williamson Act program is designed to protect agricultural land for continued commercial agricultural use primarily for the production of food and fiber and other lands devoted to open-space and recreational uses. The rules set forth the eligibility requirements, land use restrictions and procedures for entering into and terminating agricultural preserves and land conservation contracts within Solano County. Table A of the rules does not cite the proposed uses as permitted or compatible with lands within agricultural preserve.

Project Description:

Ted and Jeri Seifert, the owners of the Silveyville Christmas Tree Farm and Pumpkin Patch (Silveyville Project), have applied for a Use Permit (U-18-04) to incorporate special events into their larger agricultural operations which also include a Christmas Tree Farm and the Pumpkin Patch. (See Site Plan). The site is located at 6208-6248 Silveyville Road, in unincorporated Dixon. The Silveyville Project consists of two separate legal lots as shown in Table 1 below. The project includes a seasonal sales lot for pumpkins (Pumpkin Patch) and a seasonal sales lot for Christmas Trees (Christmas Tree Farm). The owners wish to add a special events area (The Timbers) on a portion of the property to accommodate social gatherings of up to 200 persons. Detailed descriptions of each of these land uses is provided in subsequent sections of this report.

Project Site

The project consists of two separate legal parcels, separated for assessment purposes, and containing the following existing and proposed uses and facilities:

APN Number	Acres	Existing Land Uses	Proposed Land Uses
Parcel 1 0108-090-130	22.5	Pumpkin Patch, Christmas Tree Farm, 3 residences, outbuilding for farming, a stable and 1 acre of pumpkins and 1 acre of Christmas trees, 4 acres of almonds and walnuts.	Pumpkin Patch, Christmas Tree Farm, Special Events Area, 3 residences, outbuilding for farming, a stable and 1 acre of pumpkins and 1 acre of Christmas trees, 4 acres of almonds and walnuts.
Parcel 2 0108-090-140	9.9	Parking and circulation for agriculture related business	Parking and circulation for agriculture related business and a special events structure building

Parcel 1 (APN 0108-090-130)

APN 0108-090-130 is approximately 22.5 acres and contains several residences and accessory buildings in

addition to areas for pumpkins and Christmas trees. The specific improvements are shown on the site plan and consist of:

Existing Structures and Facilities (See Attached Site Plan)

Letter	Description
A.	Residence - 6208 Silveyville - 3,000 sf
B.	Residence - 6224 Silveyville - 2,900 sf
C.	Residence - 6240 Silveyville - 1,200 sf
D.	Pole Barn - 2,700 sf
E.	Barn - 4,800 sf
F.	Office - 1,400 sf
G.	Shop - 1,500 sf
H.	Storage Building - 1,600
	Ag Well
I.	Stable - 1,200 sf
W.	Anzac Office - 400 sf

Proposed Structures and Facilities (See Attached Site Plan)

Letter	Description
U.	New Leach Field
V.	Proposed Special Event Facility - 3,000 sf
X.	Special Event Catering
Y.	Stage

Parcel 2 (0108-090-140)

APN 0108-090-140 is approximately 9.9 acres with impervious surfaces and buildings left over from a tomato grading operation. The specific improvements are shown on the site plan and consist of:

Existing Structures and Facilities (See Attached Site Plan)

Letter	Description
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- J. Office - 1,500 sf
- K. Pole Barn - 8,000 sf
- L. Shop Building - 10,000 sf
- M. Well
- N. Septic System
- O. Parking Area
- P. Handicap Parking

Components of the Proposed Project (See Attachment E: Site Plan)

The Pumpkin Patch

The Pumpkin Patch is a seasonal sales lot which operates from approximately the last weekend in September until October 31st. In addition to the sale of pumpkins, visitors can participate in a variety of activities such as rides around the farm on an "ATV Train" or decorating pumpkins. The Pumpkin Patch is open every day during its season (September through October) for no more than 25 days from 10:00 am until 6:00 pm.

Christmas Tree Farm

The Christmas Tree Farm is also a seasonal sales lot which opens shortly after Thanksgiving and operates until a few days before Christmas for no more than 25 days. The Christmas Tree Farm provides a variety of pre-cut and cut-your-own trees for sale along with tree shaking and netting services. Amusement activities are also provided including "Santa's Sleigh Ride" and the "Christmas Village" among other amusements. The Christmas Tree farm hours of operation are from 9:00 am until 5:00 pm and 9:00 am to 7:00 pm several days of the week.

The Timbers at Silveyville

The Timbers at Silveyville will be located on the property for special events such as weddings, either outdoors or within a proposed 3,000 square foot special event building or a 5,000 square foot tent. The Timbers is set under a redwood grove in the southern part of Parcel 1. In addition, there will be an outdoor stage/performance area and food preparation/catering area. The Timbers can serve events up to 200 persons in size. The events will occur from March through October.

The Gift Shop

The shop is approximately 800 square feet in size located in Building E (Red barn). The shop contains purchased items from commercial vendors and handmade items from the family for sale to the public. Online orders may also be placed for merchandise. The gift shop is open during pumpkin and Christmas Tree sales seasons. Since the gift shop is open to the public and there is no record of a building permit, the building must meet current building and fire code requirements.

Miscellaneous Uses

There are numerous miscellaneous uses on the property, including:

Building	Use
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- E. Pay House - 300 sf.
- E. Concession Area - 250 sf.
- D. Display of produce, children's activity center, Santa visits
- F. Restrooms, office, waiting room for event center
- M. Ag/Commercial rental spaces
- L. Ag/Commercial rental spaces
- G. Private shop/vehicle storage
- W. Ag/Commercial rental space

Infrastructure

Storm water

The project has existed in the present physical condition for several decades. No changes in impervious surface area are proposed and no additional storm drainage improvements are included within the project.

Traffic and Circulation

The project has driveway access from two connections to Silveyville Road, a paved two-lane county road. No changes are proposed to the project access and circulation configuration. A traffic control plan will be in place to ensure that traffic congestion during an event is minimized.

Water Supply

Water will be supplied by a combination of four existing on site wells.

Wastewater

There are four existing septic systems and leach fields on site. A new system with a primary and secondary leach field is proposed on Parcel 1 to serve the existing remodeled restrooms.

ANALYSIS:

General Plan Consistency:

The 2008 General Plan designates this property as Agricultural, which is defined as:

Provides areas for the practice of agriculture as the primary use, including areas that contribute significantly to the local agricultural economy, and allows for secondary uses that support the economic viability of agriculture. Agricultural land use designations protect these areas from intrusion by nonagricultural uses and other uses that do not directly support the economic viability of agriculture.

Agricultural areas within Solano County are identified within one of 10 geographic regions. Within these regions, uses include both irrigated and dryland farming and grazing activities. Agriculture-related housing is also permitted within areas designated for agriculture to provide farm residences and necessary residences for farm labor housing. - pg. LU-21

The proposed use of the property by the Silveyville Christmas Tree Farm and Pumpkin Patch as a seasonal sales lot for produce with associated agritourism amusements and events is consistent with the vision and policies contained within

the 2008 General Plan.

Zoning Consistency:

The parcels are zoned Exclusive Agricultural (A- 40), which contain the following Zoning District Standards

Section 28.21 of the Solano County Code establishes permissible land uses for the Exclusive Agricultural District which include seasonal sales lots, amusement and entertainment uses and agricultural processing with special events. A use permit is required to assure that the uses are appropriate for the specific parcel and would not result in nuisances to surrounding properties and facilities.

Site Specific Considerations:

The site consists of approximately 31.8 acres of relatively flat agricultural lands that are currently contracted under the California Land Conservation Act as contract No. 52. The permittee will file Nonrenewal of the contract upon approval of Use Permit U-18-04. The property is generally rectangular in shape and has frontage on, and access from Silveyville Road.

PROPOSED FINDINGS:

- 1. That the establishment, maintenance or operation of the use or building is in conformity to the General Plan for the County with regard to traffic circulation, population densities and distribution, and other aspects of the General Plan considered by the Zoning Administrator to be pertinent.**

This project is located within an area designated as Agriculture by the Solano County General Plan Land Use Diagram. The proposed use is a conditionally permitted use within the Exclusive Agricultural (A-40) District. The proposed temporary agritourism uses are consistent with the General Plan. The property is developed with agricultural and residential structures as well as significant areas planted in trees and seasonal crops.

- 2. Adequate utilities, access roads, drainage and other necessary facilities have been or are being provided.**

The site does not have utilities for permanent development. The proposed use is a temporary event for up to 45 days. All necessary services will be brought onto the site on a temporary basis for 45 days and then removed. A traffic control plan will be in place to ensure that traffic congestion during an event is minimized.

- 3. The subject use will not, under the circumstances of this particular case, constitute a nuisance or be detrimental to the health, safety, peace, morals, comfort or general welfare of persons residing or working in or passing through the neighborhood of such proposed use or be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the County.**

As conditioned, the proposed seasonal sales lot with amusements and entertainment uses will not constitute a nuisance to surrounding properties, nor will it be detrimental to the health, safety, or welfare of County residents. A traffic and parking management plan will be in place to ensure that traffic congestion during an event is minimized.

ADDITIONAL FINDINGS

- 4. The project qualifies for a Class I Categorical Exemption from the California Environmental Quality Act pursuant to CEQA Guidelines Section 15304, Minor Alterations to Land.**

CONDITIONS OF APPROVAL

See Attachment B for conditions of approval.

ATTACHMENTS

Attachment A: Application
Attachment B: Conditions of Approval
Attachment C: Vicinity Map
Attachment D: Aerial Vicinity Map
Attachment E: Site Plan
Attachment F: Aerial Site Plan
Attachment G: Williamson Act Rules and Regulations
Attachment H: Draft Resolution



DEPARTMENT OF RESOURCE MANAGEMENT
PLANNING SERVICES APPLICATION FORM

675 Texas Street Suite 5500, Fairfield, CA 94533

RECEIVED

JUN 29 2018

(707) 784-6765 Phone
(707) 784-4805 Fax

www.solanocounty.com

COUNTY OF SOLANO
RESOURCE MANAGEMENT

Application Type: New Extension (maps) Minor Revision Map Modification

- Administrative Permit (AD)
- Architectural Review (AR)
- General Plan Amendment (G)
- Major Subdivision (S)
- Marsh Development Permit (MD)
- Minor Subdivision (MS)

- Minor Use Permit (MU)
- Mobilehome Storage Permit (MH)
- Mutual Agreement (MA)
- Performance Standards (PS)
- Policy Plan Overlay (PP)
- Rezone (Z)

- Sign Permit (SGN)
- Use Permit (U)
- Variance (V)
- Waiver (WA)
- Zone Text Amendment (ZT)

Application No: U-18-04 MR# _____ Hrg: AD ZA PC BOS Date Filed: 6/29/2018 Plnr: NT

Project Name: The timbers, Silverville Christmas Tree + Pumpkin Farm

Subject Site Information

Site Address: 6208-6248 Silverville Rd City: Dixon State: CA Zip: 95620

Assessor's Parcel Number (s): 0108-090-0130, 0108-090-140 Size (sq. ft/acre): 991 22.9

Preferred Property Access by Staff: OK to access Call applicant before access Call owner before access

Contact Information

Property Owner Name: Ted + Jeri Serfert

Contact Name: Ted Serfert Phone: 707-365-9597 Email: tedctedserfert.com

Mailing Address: 6224 Silverville Rd City: Dixon State: CA Zip: 95620

Architect/Engineer/Land Surveyor Company Name: Phillippi Engineering

Contact Name: Tom Phillippi Phone: 707-451-6554 Email: _____

Mailing Address: 425 Merchant St #200 City: Vineville State: CA Zip: 95688

Applicant/Company Name: Ted + Jeri Serfert

Contact Name: Ted Serfert Phone: 707-365-9597 Email: tedctedserfert.com

Mailing Address: 6224 Silverville Rd City: Dixon State: CA Zip: 95620

Other Contacts:

Name: Jeri Serfert Phone: 707-365-4223 Email: jeri54caol.com

Mailing Address: 6224 Silverville Rd City: Dixon State: CA Zip: 95620

1 Project Narrative

Describe the type of development, proposed uses/business, phases, changes or alterations to the property or building and intent or purpose of your proposal clearly. Attach additional sheets as necessary.

See Attachment

2 General Plan, Zoning and Utilities:

General Plan, Zoning or Williamson Act Contract information is available at our offices or can be obtained by visiting www.solanocounty.com. Click on the "Interactive Map" icon, then search by address or assessor parcel number.

Current General Plan Designation: Ag

Current Zoning: Ag-40

Proposed General Plan Designation: Ag

Proposed Zoning: Ag-40

Current Water Provider: Well - Private

Current Sewage Disposal: Septic -

Proposed Water Provider: Well - Private

Proposed Sewage Disposal: Septic

Portable Potties During
Period Sept 26 - Dec 24

Project Narrative:

Silveyville Christmas Tree and Pumpkin Farm : Currently we own operate the Silveyville Christmas Tree and Pumpkin Farm, which has been in existence since 1979. Our months of operation are approximately the last weekend in September until Christmas eve, with the period of Nov 1 to the day after Thanksgiving we are closed to change the decorations and design of the Farm. The parking for both time periods are the front 4 acres of the 9.9-acre parcel. Parcel 2 (108-090-140).

The Silveyville Christmas Tree and Pumpkin Farm uses the north end of Parcel 1 (108-090-130). The operation uses approx..1400 sq ft of the existing barn. The usages of these areas are pay house (300 sq ft), concession area (250 sq ft) and gift shop (800 sq ft). Only the gift area is open to the general public, on the days we are open. The gift shop contains purchased items from commercial vendors as well as a few handmade items from our family.

We also use an existing pole barn adjacent to the existing barn for display of produce, allowing children and parent to paint pumpkins and build castles with magnetos. During the winter season, the children ride wooden horses, play in the castle, and see Santa, all are which are complementary.

There is an approved and permitted ADA for these events, with parking at the farm entrance, as well for the last 3 years we had permits for the concession area, in the barn, approved annually.

In addition to the existing business, which has been operating for 38 years, we are requesting the ability to provide a venue for special events which would be located at the rear of the property adjacent to the existing park facility. The facility will be approx. 3000 sq ft. The building will be partially enclosed and will seat approx. 200 people for a full sit-down dinner. It will be an open-air venue to allow the existing trees and atmosphere to be brought into the venue.

We have not been planting our seedlings in the proposed site for the building and utilities will be brought in from existing facilities. There is both an accessible ag well as well as domestic well to provide domestic water to the property. There will be no additional roadways necessary to the special event site, as the parking will be located at the southern portion of the 9.9 acre parcel, Parcel 2, with access off of Silveyville Road on an existing driveway which was used when the initial use permits were issues years ago, located on the east side of parcel 108-090-140 Parcel 2.

This proposed usage will be an adjunct to our existing farming operation and will not deplete our ability to offer choose and cut trees in a natural setting. The special event location will be used for no more than 8 months a year, March through October.

Separate ADA access will be provided from the regulated parking to the speciale event area and bathrooms. We are planning to either used the existing restrooms in the office, with modifications, or construct a free-standing restroom facility so it can be separate from the buildings.

We will be bringing a harden surface roadway 20 feet wide within 150 ft of permitted buildings on the south end of parcel 1, as fire protection access is provided to all other structure on both Parcel 1 and Parcel 2.

Much of the proposed special even area is already in place as it has been in existence for over 30 years. Mature redwood and Cedars, park area, ponds have been there and have been maintained over the years for personal use as well as donating the areas to nonprofit organizations in the last few years.

There is an existing house at the rear of parcel 1, that originally was built as an office, and later used as a residence. We are converting that back to an office which will serve as a staging area for the special events as well as site for (possible) restrooms. The building will also be providing an initial reception area where information on the Dixon Ridge Farming area, the History of the area (pony Express Route) as well as the need to promote and respect farming and what it does for our society.

We will either be building restrooms to accommodate the special events with the effluent being pumped to our pumpkin field to the west, or we will be enlarging the existing restrooms in the office are and will be utilizing the enlarged septic system that will be installed. No trees will be disturbed or have to be removed as part of the restrooms or expansion of the septic system.

ADA parking will be available at the entrance, close to the restrooms, and ada path of travel will go to the special event area. (I have been raised in the family where my sister is disabled and am sensitive that safe access is available. We proactively as noted earlier already provide permitted access to the Christmas Tree and Pumpkin Farm).

There is a 10,000 sq ft building on Parcel 2 (108-090-140) which has 3 different rentable areas. Currently one is being rented for vegetable storage to supply local farmers markets primarily to hospitals. The other two stalls will be rented to businesses that are allowed in Ag Zoning. These include but are not limited to all uses allowed by the County of Solano in AG zoning with a MUP designation or lesser designations.: See Addendum 1, current Allowed usages.

There is an existing pole barn, on Parcel 2 which covers hay and equipment when not in use or that was harvested. In addition, there is a house that houses one of our employees, and has for the last 12 years, as well as work space for the farm, total size is approx. 1400 sq ft.

There are two small shops on the property, Parcel 1, that allow us to work on Treefarm and Pumpkin projects as well as personal projects.

There are 4 residences on Parcel 1, two are for family members the third for our foreman who has been with us for 15 years, the 4th is currently vacant and would be the office and restrooms for the venue.

We have been in contact over the years with the neighbors on Silveyville road to ensure that roadways are not blocked, as well as customers do not park along the road. We have changed the entrance and exit so there is less confusion, and so that customer know they can find parking on the property. We also place signage on driveways to prevent customers from entering private property.

The Timbers: The proposed special event area will be, in its final phase a newly constructed pole barn structure of approx. 3000 sq ft, and a separate free standing small Prep area, as well as stage located to the south and east of the pole barn. We acknowledge that additional sounds will come as a result of the special events, so additional vegetation and barriers will be created to both esthetically and functionally reduce any additional noise. We in addition will possibly relocate the direction of the stage as to minimize the sounds as well to adjacent properties.

We are looking at an occupancy of approx. 200 per event and will have the ability to use our existing park for outside seating. We will have an appropriate curfew, per county standards, and will provide ADA access to the special event location and restrooms. The project will be located south of the existing park and north of the ponds at the south end of the property. The parking will be accommodated on the southern portion of 6248 Silveyville Road parcel 108-090-140, which has a year-round road base with access down a lane on the east side of the parcel off of Silveyville Road.

Fire access will be provided by 20 ft wide roadway meeting road standards per the fire District.

There is existing power as well as water on site and will be brought to the special event location as needed and required when permits are pulled.

There are restrooms in the office and those will be used for the restrooms for the events, with modification as well as expansion of the interior area. If the existing restrooms cannot come into compliance with the ADA requirements, then an additional restroom will be built adjacent to the existing structure.

3 Williamson Act Contract

- A. Is any portion of the property under Williamson Act Contract? Yes No

If yes, Contract No. _____ please provide a copy.

- If yes, has a Notice of Non-Renewal been filed? Yes No

If yes, please provide a copy.

- B. Are there any agricultural conservation, open space or similar easements affecting the use of the project site? (such easements do not include Williamson Act contracts)

Yes No if yes, please list and provide a copy.

4 Additional Background Information

- A. Does the proposal propose the demolition or alteration of any existing structures on the subject site?

Yes No If yes, please describe in the project narrative.

- B. List any permits that are required from Solano County and/or other local, state, federal agencies (i.e. building permit, Department of Fish and Game permits, etc.)

Building Permits, Permit for relocation of septic system,
Fire Access Roads

- C. List any known previously approved projects located on the property (i.e. Use Permit, Parcel Maps, etc). Identify the project name, type of project and date of approval.

Use Permits ARS 108-090-140

- D. List any known professionally prepared reports for the project (i.e. biological survey, traffic study, geologic, hazardous materials, etc.)

None

- E. Does the project involve Housing and Urban Development (HUD) federal funding? Yes No
Is HUD funding anticipated? Yes No

If yes, indicate the type of funding (i.e. CDBG grant, HOME, Investment Partnership Program, etc), funding amount, whether awarded or application pending and fiscal year of award or application request.

5. Existing Condition

A. The entire site is approx. 32+ acres, consisting of 2 parcels 22 + (108-090-130) and just under 10 acres (108-090-140). The 10-acre site was the former site of a the state grading station for tomatoes, septic system and as an adjunct there were 2 offices build for weighing the trucks, scales, and work office where the communications to the office was done. Subsequently a trucking company came in "Pozas" and built the 10,000 warehouse. All but $\frac{3}{4}$ acre is in hardened surface with no ability to produce agricultural products unless they are planted above ground.

The Christmas tree and Pumpkin farm are on 108-190-130 and have been for 38 years. Only 2 structures are used during the seasons that are open to the general public, that of part of the existing barn, as well as a pole barn. The other structures are used for person use, lodging for our two employees, and office.

B. Surrounding Properties:

The entire site of approx. 32 acres, including both APN's, is surrounded on the east and south with Almond and Walnut Orchards. There is no residence to the East and the southern parcel the home is located .3 miles from the proposed venue site.

The property to the west is a 10 acre homesite with Walnuts and large custom home. The home is located 500+ feet from the proposed venue and we are in communication with them on all aspects of the project

To the north there are Row crop land as well as a cluster of several homes which will be approx. .3 miles from the new venue location and 200 ft from the parking lot on parcel 108-090-140.

C. Existing use of Land

Currently on 108-090-130 there are 4 homes a Barn and pole barn several outbuildings and shops. The remaining land has approx. 12 acres of Christmas Trees 4 acres of pumpkins and a park and open area for horses. There are many roads separating the different fields and approx. a fenced 1 acre pond, and approx. 2 acres is asphalted at the southeast end of the property.

Parcel 108-090-140 is approx. 9 acres with only $\frac{3}{4}$ acre of farmable ground. The remaining land is asphalted and or has a weatherized surface which was used a a trucking operation many years ago. There is a 8000 sq ft pole barn 10000 sq ft metal building as well as a building which has an office and a 1 bedroom house.

D. Existing Structures: 108-090-130

A 6208 Silveyville Road 3000 sq ft home with pool detached 3 car carport and 1000 sq ft shop as well as carport for motorhomes.

B 6224 Silveyville Road 2900 sq ft home with detached 2 car garage with well behind the home

B1 Well 1 Currently under repair

C 6240 Silveyville Road 1200 sq ft home with attached 2 car garage and storage and well; This home is and has been rented to our Forman.

C1 Well 2 11/2 hp well which is used for domestic water backup

D Pole Barn 2700 Sq ft pole barn

E Red Barn 4800 Sq ft barn with approx. 1500 Sq ft in 2nd floor. (Most not open to the general public.

F Southern Home 1400 sq ft ; This home is currently vacant and hopefully will be used as part of the special event.

G Shop 1500 Sq ft with covered Ag Equipment storage

H Storage 1600 sq ft of storage Former chicken coop years ago

I Ag Well 15hp well that can be used for domestic water

J Horse Stable Approx 1200 sq ft

W Anzac Office Approx 400 sq ft of office and 400 sq ft of covered storage

Existing Structures 108-090-140

K Home/Office 1500 sq feet 840 sq ft office 680 sq ft 1 bedroom unit

L Pole Barn 8000 sq ft pole Barn

M Warehouse 10000 sq ft metal building

N Well 5 hp used as main water well domestic

O Septic Commercial Septic System from state Grade Facility 2-2500 gal tanks

P Front Parking Approx 4 acres of parking for Christmas Tree and Pumpkin Season

Q ADA Parking ADA parking for Christmas Tree and Pumpkin Parking

Proposed

R Rear Parking Approx. 2 acres of Parking for Venue with acres

S ADA Parking ADA parking as required per permit process

T Restroom Restroom size and configuration per permit process, existing restrooms are part of "F" noted above

U Septic Septic system size and location per requirements of Permit

V Special Event site Proposed special event building location up to approx. size 3000 sq ft or tent as phased in

- X Special event catering area Size will be under 1000 sq ft separated from "V" above.
- Y Special Event Stage (Possible) Size will be determined approx. 400 sq ft.

E Vegetation

This is a working Christmas Tree Farm so the exact number of trees will be approximate.

There are approx. 70 Walnut Trees throughout the property 15 almond trees, Pecans, Fruit trees, 2 Chestnut trees and Many Redwood mature trees, both Coastal and Sierra.

The Trees grown for sale and Monterey Pine, Incense Cedar, Coastal Redwood, Scotch Pine and a few Leyland Cypress. Approx. number is 12,000 trees

There are several areas of grass including a ½ acre grass park area.

F. Ag Use

Approx. 12 acres are in Christmas Trees, and 4 acres in pumpkins and 1 acre , if combined in area in Walnuts and Almonds.

G. Slope of property:

Flat or sloping (0 - 6% slope) 32 acres
 Rolling (7 - 15% slope) _____ acres
 Hilly (16 - 24% slope) _____ acres
 Steep (> 24% slope) _____ acres

H. Describe existing drainage conditions on site. Indicate direction of surface flows, adjacent parcels affected.

No drainage - all water contained on site

I. Describe land uses on adjacent parcels (specify types of crops if agricultural).

North	Tomatoes	South	Almonds
East	Walnuts	West	Walnuts

J. Distance to nearest residence(s) or other adjacent use(s): _____ (ft/mi)

West 450' to home from event site
South 1660 ft to event site

K. Describe and indicate location of any power lines, water mains, pipelines or other transmission lines which are located on or adjacent to the property.

Power lines East side of 108-090-140 (Parcel 2) West side of Parcel 108-090-130

L. Describe number and location of natural creeks or water courses through or adjacent to the property. Specify names (if any). Indicate whether ephemeral (brief flows following rains), intermittent (seasonal flows during wet season), or perennial (year-round flows).

None

M. Describe number and location of man-made drainage channels through or adjacent to the property. Specify names, if any.

None

N. Identify and describe any on-site or adjacent marshes, wetlands, vernal pools, wet meadows, riparian (i.e. dependant on water bodies) vegetation, etc.:

None

O. Are there any unique, sensitive, rare, threatened, or endangered animals, plants, or habitats on the project site or located in close proximity which may be affected by the project?

Yes _____ No Don't Know _____ If yes, please list:

P. Describe existing vehicle access(s) to property:

Access: 5 driveways off Silverville Rd, 3 are for residences, 2 main access driveways are on 109-080-140 for both existing and future events

- Q. List and describe the nature and location of all existing easements serving or affecting the property, including access, utility, and other public or private easements (see deed or recent preliminary title report).

Easements are for SID issued as P6E West side of 108-090-130 and east side of 108-090-140

- R. List and describe any freestanding and attached signage on the property. Describe the dimensions, area and height. Include the location on the site plan.

Signage for the tree farm and Pumpkin farm are up only when open and are directional parking signs.
Special Event signage will be showing entrance location - Vinyl signs on existing frame

6 Proposed Changes to the Site

- A. Topography and grading (attach copy of grading plan showing existing and proposed topography and drainage patterns.)

- i. Percent of site previously graded: 0 %.
- ii. Project area (area to be graded or otherwise disturbed): 5000 sq. ft./acres.
- iii. Estimate amount of soil to be moved (cut and/or fill):
 Less than 50 cubic yds³ More than 50 cubic yds³ More than 1000 cubic yds³
- iv. Estimate amount of soil to be:
Imported 0 yd³ Exported 0 yd³ Used on site - yd³.

- B. Number, size and type of trees, and type and quantity of vegetation to be removed. (size of trees = diameter at 4ft. above grade)

20 trees 3" diameter or less : 1 Pine 20" diameter
which is dying

- C. Number, type and use of existing structures to be removed, and removal schedule:

- 0 -

- D. Describe proposed fencing and/or visual screening (landscaping):

Planting of 150 Leyland Cypress 50 Coastal Redwoods
Sound planting to minimize effect west & south

- E. Proposed access to project site (road name, driveway location, etc.):

Existing Road on East side of 108-090-140

- F. Proposed source and method of water supply:

Existing Wells

- G. Proposed method of sewage disposal (specify agency if public sewer):

Expansion of existing septic system to new location
with Backup location adjacent.

H. Provisions for solid/hazardous waste disposal (specify company or agency if applicable):

Recology - no hazardous waste

I. List hazardous materials or wastes handled on-site:

None

J. Duration of construction and/or anticipated phasing:

2 years

K. Will the proposed use be affected by or sensitive to existing noise in the vicinity? If so, describe source (e.g. freeway, industrial) and distance to noise source.

NO

7 Proposed Site Utilization

A. RESIDENTIAL PROJECTS N/A

1. Number of structures: Single Family: _____ Multi-family: _____ Accessory: _____

If multi-family, number of units: _____ Maximum height: _____

2. Signage: Freestanding: _____ Dimension(s): _____ Area: _____ (sq.ft)
Attached/Wall: _____ Dimensions(s): _____ Area: _____ (sq.ft)

B. NON-RESIDENTIAL PROJECTS (Commercial, Industrial, Agricultural, Other)

1. Lot coverage:

Building coverage: 5000 (sq.ft) Surfaced area: 8000 (sq.ft)

Landscaped or open space: existing (sq.ft) Pave - 40,000 sq.ft

2. Total floor area: 4000 (sq.ft)

3. Number of stories: 1 Maximum height: 20 (ft.)

4. Proposed hours of operation:

Days: Primarily F/Sat/Sun possible weekday

From: 10 a.m./p.m to 10 a.m./p.m

There may be setup before 10 AM, but sound will be stopped at 10 PM.

Year round: Yes No

Months of operation: from March through October

5. Proposed construction schedule:
 Daily construction schedule: from 8 a.m./p.m. to 6 a.m./p.m.
 Days of construction: 6 days a week
6. Will this project be constructed in phases? Describe:
Restroom - Septic first, ADA course of travel 2nd, then special event center, stage, and prep area
7. Maximum number of people using facilities:
 At any one time: 200 Throughout day: when used 200
8. Total number of employees: 2 part time for events off days 0
 Expected maximum number of employees on site: 2 part time for events
 During a shift: _____ During day: 2
9. Number of parking spaces proposed: to be determined - we have 3 acres of harden surface for parking special events
10. Maximum number of vehicles expected to arrive at site:
 At any one time: 70 day: 70
11. Radius of service area: 75 miles
12. Type of loading/unloading facilities:
None
13. Type of exterior lighting proposed:
Overhead LED lighting, as well as commercial accent lighting
14. Describe all anticipated noise-generating operations, vehicles or equipment on-site.
Music possible fans or A/C
15. Describe all proposed uses which may emit odors detectable on or off-site.
Possible catering BBQ
16. Describe all proposed freestanding and wall signage. Include the dimensions, area and height.
We will be developing an entrance with educational boards depicting this areas history, the Pony Express Route, and agriculture for the Dixie Ridge Area.

8 Environmental Checklist

Indicate the following items applicable to the project or its effects. Discuss in Section 9 all items checked "Yes" or "Maybe". *Attach additional sheets as necessary.*

	YES	MAYBE	NO
A. Change in existing natural features including any bays, tidelands, lakes, streams, beaches, natural landforms or vegetation.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
B. Change in scenic views or vistas from existing residential areas, public lands or roads.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
C. Change in scale, pattern or character of general area of project.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
D. Increased amounts of solid waste or litter.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
E. Dust, ash, smoke, fumes or odors on site or in vicinity.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
F. Change in ground water quality or quantity.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
G. Alteration of existing drainage patterns, or change in surface water quantity or quality.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
H. Change in existing noise or vibration levels.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
I. Construction on filled land or construction or grading on slopes of 25% or more.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
J. Storage, use or disposal of materials potentially hazardous to man or wildlife, including gasoline and diesel fuel. (See Environmental Health Division for assistance or information).	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
K. Increase in demand for public services (police, fire, water, sewer, etc.)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
L. Increase in fossil fuel consumption (electricity, natural gas, oil, etc.).	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
M. Change in use of or access to an existing recreational area or navigable stream.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
N. Change in traffic or vehicular noise on road system in immediate vicinity.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
O. Increased hazards for vehicles, bicycles or pedestrians.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
P. Removal of agricultural or grazing lands from production.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Q. Relocation of people.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

#8 Silveyville Christmas Tree and Pumpkin Farm

D. Waste is handled by Porti Potties serviced weekly or more often as needed. Litter is taken to the land fill.

H. There is music playing from our sound system with speakers throughout the farm.

K. Increase need for Fire or Police is only if an incident occurs, none on a regular or daily basis otherwise.

L. Increase in PGE when facility is open to the public for refrigeration, lighting and powering the electric vehicles. Gas is used to fill the portable generators used to power electric vehicles as well quads used in the business.

N. No change in traffic as the operation has been in existence and functioning for 38 years.

O. There will be no additional hazards other than those present when more cars are coming to the Farm from the last weekend in September to Christmas Eve.

8 Environmental Checklist Timbers

D. Waste litter due to special events or use of facility to be sent to Land Fill. Septic is private on site.

H. Noise level will be primarily the Music from the special events. Otherwise it will be from noise of attendees. WE are already thinking about location changes of where music may come from, the direction it will travel as well as vegetation that can be planted to absorb excess sounds.

K. Increase demand on services would be if an incident occurred at the site. Private security would be used for special events, if over a certain number of attendees. Water, Sewer are all private and are onsite.

L. If solar is used, very little or no increase in fossil fuel, otherwise additional usage through PGE for lighting.

N. Increase due to increase traffic when special events are present.

O. Increase hazards, as there will be additional cars on the road. There may be other bicycles or pedestrians using Silveyville Road.

9 Additional Information by Applicant

In order to make this application COMPLETE, please submit any additional data, information or special study reports that may be necessary to determine whether the project may have significant effect on the environment or to evaluate any adverse impacts, and to determine how they may be mitigated. Add additional pages as necessary.

10 Information Verification - Signed by Owner and Applicant

Owner and Applicant must sign below certifying that all information is to the best of his/her knowledge true and correct.

If the applicant is not the owner of record of all property included in this application, the signature given below is certification that the owners of record have knowledge of and consent to the filing of this application and supporting information. Additionally, the undersigned does hereby authorize representatives of the County to enter upon the above mentioned property for inspection purposes. This certification acknowledges that if the project exceeds the number of hours implicit in the application fee, applicants are subject to the hourly billing rate of staff time. You will be notified if the project is approaching this threshold.

I hereby certify that the statements furnished above and in the attached exhibits present the data and information required for this initial evaluation to the best of my ability, and that the facts, statements, and information presented are true and correct to the best of my knowledge and belief.

Owner signature: Edward Serfert Date: 6/29/18

PRINTED NAME: Edward Serfert

Applicant signature: Edward Serfert Date: 6/29/18

PRINTED NAME: Edward Serfert

For Office Use Only

Planning Permit Fee(s)	Environmental Review Fees
<u>4-18-04</u> \$ <u>4391.00</u>	Initial Study \$ _____
_____ \$ _____	Archaeological Study (Sonoma State NWIC) \$ _____
_____ \$ _____	Negative Declaration \$ _____
_____ \$ _____	CA Fish and Games (ND or EIR) \$ _____
	Initiate EIR \$ _____
	Mitigation Monitoring Plan \$ _____
Total Fees Paid \$ <u>4391.00</u> Cash <input type="checkbox"/> Check <input checked="" type="checkbox"/> Charge/Debit <input type="checkbox"/>	Receipt No.: <u>1057271</u> DATE: <u>6/29/18</u>

Staff verify: Zoning: _____ GP Land Use & Consistency: _____

Comments: _____ Staff/Date: Red 6/29/18

T:\PLANNING\Planning Templates\Front Counter Application and Instruction Forms\COUNTER FORMS - (O-R-I-G-I-N-A-L-S) Land Use Permit\Permit Application & Instructions\Land Use Permit - Application 042418.doc(May 2, 2018)

CONDITIONS OF APPROVAL

The Timbers and Silveyville Christmas Tree and Pumpkin Farm

I. GENERAL PROVISIONS

Administrative Conditions of Approval

1. **Approved Uses.** The proposed use shall be established in accord with the application and site plan for Use Permit U-18-04, submitted June 29, 2018 and as amended by the permittees, Ted and Jeri Seifert., and as described and conditioned herein. In the event of any conflict between the application materials and the project description or conditions set forth in this permit, the latter shall control.
2. **Permit Term.** The permit is issued for an indefinite term, commencing on July 29, 2019 and subject to renewal as provided below.
3. **Renewal.** The use permit is subject to renewal pursuant to Section 28.106(N) of the Solano County Code. Application for renewal must be filed prior to the 5-year anniversary date of the initial approval or the most recent renewal approval date.
4. **Final Plan.** Within 30 days of approval of the use permit, the permittee shall submit a final development plan portraying the project as approved.

Limitations of the Permit

5. **Minor Revisions.** No additional uses shall be established beyond those identified on the final development plan without prior approval of a revision or amendment to the use permit. No new or expanded buildings shall be constructed without prior approval of a minor revision to this use permit or approval of a new use permit.
6. **Indemnification.** By acceptance of this permit, the permittee and its successors in interest agree that the County of Solano, its officers and employees shall not be responsible for injuries to property or person arising from the issuance or exercise of this permit. The permittee shall defend, indemnify and hold harmless the County of Solano, its officers and employees from all claims, liabilities, losses, or legal actions arising from any such injuries. The permittee shall reimburse the County for all legal costs and attorney's fees related to litigation based on the issuance of and/or interpretation of this permit. This agreement is a covenant that runs with the land and shall be binding on all successors in interest of the permittee.
7. **Exercise of Permit.** The use permit shall expire and thereafter be null and void, without further action by the County, if it is not exercised by close of business on September 30, 2019. The use permit shall not be considered exercised until all building, public works and environmental health permits required for the use have been issued.
8. **Initial Inspection Prior to Commencement of Activities.** Prior to the commencement of activities under this use permit or the admission of the public to the site, the permittee shall be present on site for an inspection of the premises by the Department of Resource

Management and other agencies with jurisdiction, in order to determine if all prerequisite conditions and requirements have been met. Commencement of activities authorized under this permit shall not begin until the Director of Resource Management (Director) determines that the permittee is in compliance with the necessary prerequisite conditions of approval.

9. **Subsequent Inspections.** If additional inspections are required before the Director determines the permittee is in compliance with the use permit, the permittee shall be charged inspection fees based on the adopted rate established by the Board for hourly work by the Department.
10. **Failure to Comply.** Failure to comply with any of the conditions of approval or limitation set forth in this permit shall be cause for the revocation of the use permit and cessation of the permitted uses at the Permittee's expense.

II. SITE AND FACILITY CONDITIONS AND IMPROVEMENTS

11. **Occupancy.** The site shall be limited to a maximum occupancy of 1,200 persons, with 200 at the Timbers and up to 1,000 at the Pumpkin Farm and Christmas Tree Farm.
12. **Access.** The site shall provide and maintain two twenty-foot minimum width all-weather surface driveway connections to a public road.
13. **Kitchen Facilities.** No kitchen facility may be used unless it is permitted as a food facility by the Environmental Health Division.
14. **Exterior Lighting.** Lighting capable of providing adequate illumination for security and safety shall be provided. . Lighting shall be downcast and/or directed away from adjacent properties and public rights-of-way to prevent offensive light or glare.
15. **Sanitation.** Permittee must provide approved sanitation facilities of adequate capacity that are accessible to attendees and food vendors including restrooms, refuse disposal receptacles, potable water and wastewater facilities.
16. **Parking.** The parking area identified on the final development plan shall provide adequate parking space for at least 300 vehicles; parking areas and driveways shall be treated as necessary to control dust. Parking areas shall not be located any closer than 50 feet to an adjoining property. Parking shall be located in an open area with a slope of 10 percent or less.
17. **Parking on the road.** No parking shall be allowed within any road right-of-way for 1,000 feet in either direction of any access point or access located on the site. The permittee shall place signs along the interior access ways and at 300-foot intervals along the road right-of-way indicating the parking restriction. These signs shall be posted no earlier than the day before the event and shall be removed no later than the day following the event.
18. **Use of Existing Structures.** The use of existing permanent structures temporarily during events are limited to existing structures that are permitted for commercial and public assembly occupancy and are in compliance with the Americans with Disabilities Act (ADA)

where applicable. Any interior remodeling of an existing structure is limited to that needed to meet building occupancy and ADA requirements without expansion of the footprint.

19. **Use of Temporary Structures**. The use of temporary structures during events are limited to structures that are permitted for commercial and public assembly occupancy and are in compliance with ADA where applicable. This requirement may be waived through an adjustment (Section 22.70.030) when the applicable fire agency verifies in writing that the proposed structure is adequate for safe egress and all other fire safety concerns have been addressed.
20. **New Permanent Structures**. Event activities may only be allowed in new structures if approved through a Conditional Use Permit.

III. OPERATIONAL AND PERFORMANCE STANDARDS

21. **Prevent Offensive Noise, Dust, Glare, Vibration or Odor**. All uses of land and buildings shall be conducted in a manner, and provide adequate controls and operational management to prevent:

Dust, glare, vibration which are detectable beyond any property line, and Noise that exceeds 65dBA LDN at any property line.
22. **Prevent Storm Water Pollution**. Any use of land or buildings shall contain measures to manage storm water to prevent any potential contaminants, processing wastes or by-products from entering any natural or constructed storm water facility or canal, creek, lake, pond, stream or river
23. **Solid Waste and General Liquid Waste Storage and Disposal**.
 - a. All uses are prohibited from discharging liquid, solid, toxic, or hazardous wastes onto or into the ground and into streams, lakes, or rivers except as allowed by applicable local, State and federal laws and regulations.
 - b. The handling and storage of hazardous materials, the discharge of hazardous materials into the air and water, and the disposal of hazardous waste in connection with all uses shall be in conformance with all applicable local, State and federal regulations.
 - c. All burning of waste materials accessory to any use shall comply with the Yolo-Solano Air Quality Management District or the San Francisco Bay Area Air Quality Management district based on geographic location of the activity specific to each air quality management district.
 - d. The disposal or dumping of solid wastes accessory to any use, including, but not limited to, slag, paper and fiber wastes or other industrial wastes, shall be in compliance with applicable local, State, and federal laws and regulations.
24. **Food Vendors**. Permittee is responsible for ensuring event organizer and food vendors secure food permits with the Division of Environmental Health.
25. **Operational Controls**. Shall show that adequate controls or measures will be taken to prevent offensive noise, light or vibration.
26. **Incidental Retail Uses**. Temporary agritourism uses of land, buildings or structures may include incidental retail uses customarily found at such establishments.

27. **Nuisance Controls.** Permittee shall show that adequate measures and controls shall be taken to prevent offensive glare, noise, odors and dust from impacting abutting uses or facilities.
28. **Hours of Operation.** The hours of operation for special events at the Timbers are from 9:00 a.m. - 10:00 p.m. Facility set up and clean up shall be allowed between the hours of 7:30 a.m. to 10 p.m. All guests of an event shall be off the property by 10:00 p.m.
- The hours of operation for the Pumpkin Farm are from 10:00 a.m. - 06:00 p.m.
- The hours of operation for Christmas Tree Farm are from 9:00 a.m. - 7:00 p.m. several days of the week as determined by the applicant, and 9:00 a.m. to 5 p.m. for the remainder days.
29. **Site Appearance.** The premises shall be maintained in a neat and orderly manner and kept free of accumulated debris or junk.
30. **Event Management Plan.** No later than March 31st of each year, the permittee shall submit an Event Management Plan which shall identify measures, procedures and operational controls to address the operational and performance standards imposed by this permit, including the following categories:
31. **Nuisance Control.** Identify measures and controls to manage potential nuisances such as fugitive dust, noise, light, glare and odor. Nuisance Controls shall include the following provisions:
- 1) Direct lighting used for illumination of spaces for clean-up of work (as opposed to highlight lighting such as strands of Led lights suspended overhead) shall be shielded downward or oriented such that it does not radiate light directly in the western direction from the proposed site towards the residence located to the west
 - 2) That there shall at least a 5-foot-high permanent fence or gates on or near the western boundary of the property to prevent access on the adjoining residential property to the west.
 - 3) The project shall include features or requirements to avoid excessive and disturbing sound at the residence located to the west of the site. These features shall include:
 - a) Designating locations where speakers broadcasting amplified sound associated with music shall be allowed (the "Band Area")
 - b) Installing a sound barrier with noise absorbing material (this could be an acoustic fence or wall) that is located adjacent Band Area and designed to reduce the sound levels at the residence on the property to the west.
 - c) Retaining or planting a natural forest setting of Incense cedar or other trees to the west of the event center location and Band Area.
 - d) Enforcement by the permit holder that amplified sound shall cease at 10:00 PM.
32. **Traffic and Parking Management.** Identify measures and controls to manage traffic arriving and departing the site as well as controls to assure the efficient movement of vehicles in the parking areas. At a minimum, the plan shall include the placement of "No

Parking” signs on Type II barricades on both sides of Silveyville Road along the entire property frontage. The applicant shall apply for, secure and abide by the conditions of an Encroachment Permit from Solano County Public Works for any traffic controls operations within the County rights-of-way including, but not limited to, “No Parking” barricades, traffic signs, and flagging. Solano County Public Works reserves the right to modify or revoke the Encroachment Permit when, in the opinion of the Director of Resource Management, the Traffic and Parking Management Plan is not functioning as intended and/or adversely affects other public or private roads or properties in the area.

33. **Food and Beverage Service.** Describe the types of food and beverage services available to the public and identify all necessary permits and licenses which must be obtained prior to conducting the event.
34. **Emergency Response Plan.** Identify measures and controls to manage any emergency which might reasonably arise during an event. Provide a list of emergency contacts for various responders to all staff and volunteers. Identify a central location on the property which will serve as an emergency center with communications and fire and first-aid equipment.
35. **Security.** The Timbers Event Center shall provide adequate onsite security personnel during the conduct of its events.
36. **Storm Water Management.** Identify measures and controls to manage storm water to prevent storm water pollution.
37. **Sanitation and Waste Management.** Identify measures and controls to manage all forms of liquid and solid waste on the site.
38. **Approval of the Event Management Plan.** The permittee shall not commence any uses of buildings or the land for events until the Director has approved the Event Management Plan.

IV. ADDITIONAL PERMITS REQUIRED

Planning Division Permits

39. **Land Conservation Contract 52.** Permittee shall submit a Notice of Nonrenewal of Land Conservation Contract 52 for both APN’s 0108-090-130 and 0108-090-140 upon approval of Use Permit No. U-18-04.

A sign permit for all existing or proposed signs shall be applied for and granted prior to the commencement of the use.

Building Division Conditions

40. Any new buildings and any site improvements shall be designed using the 2016 California Building Standards Codes including the mandatory measures found in the new 2016 California Green Building Code, Chapter(s) 1, 2, 3, 5, 6, 7, 8, and A5 for Voluntary Measures.
41. Prior to any construction or improvements taking place, a Building Permit Application shall first be submitted as per Section 105 of the 2016 California Building Code. **“Any owner or authorized agent who intends to construct, enlarge, alter, repair, move, demolish, or**

change the occupancy of a building or structure, or to erect, install, enlarge, alter, repair, remove, convert or replace any electrical, gas, mechanical or plumbing system, the installation of which is regulated by this code, or to cause any such work to be done, shall first make application to the building official and obtain the required permit.”

42. Certificate of Occupancy “111.1 Use and Occupancy. No building shall be used or occupied, and no change in the existing occupancy classification of a building or structure or portion thereof shall be made until the building official has issued a certificate of occupancy therefore as provided herein.”
43. Plans and Specifications shall meet the requirements as per Section 107 of the 2016 California Building Code. **“Construction documents, statement of special inspections and other data shall be submitted in one or more sets with each permit application. The construction documents shall be prepared by a registered design professional where required by the statutes of the jurisdiction in which the project is to be constructed. Where special conditions exist, the building official is authorized to require additional construction documents to be prepared by a registered design professional.”** Electronic media documents are permitted when approved by the building official. Construction documents shall be of sufficient clarity to indicate the location, nature and extent of the work proposed and show in detail that it will conform to the provisions of this code and relevant laws, ordinances, rules and regulations, as determined by the building official.”
44. **Site Accessibility Requirements.** The site and all facilities shall meet all of the accessibility requirements found in Chapter 11B of the 2016 California Building. The designer is required to design for the most restrictive requirements between ADA Federal Law and the 2016 California Building Code. The Solano County Building Division will be reviewing the plans for the most restrictive requirements of the two. There shall be a complete site plan, drawn to scale reflecting all site accessibility. The site shall be developed in a manner consistent with state and federal requirements for accessibility for disabled persons, including all parking area, aisles and paths of travel and structures. The permittee shall submit accessibility analysis prepared by a Certified Access Specialist (CAS). The analysis must state that the inspected structures and other site features meet both state and federal accessibility requirements or specify what corrections are necessary in order to comply. The permittee shall make any necessary corrections identified by the CAS analysis. All accessible paths of travel and parking areas shall be a hard-scaped surface as specified by the CAS specialist and shall meet all of the worst case requirements between Chapter 11B of the 2016 California Building Code and the ADA Federal Law.

Environmental Health Division Conditions

Conditions Applicable to the Christmas Tree and Pumpkin Sales Events

45. If the operations meet the definition of a food facility per the California Retail Food Code, an application and design plan submittal and approval for the food facility and for an onsite wastewater treatment system are required. Per the California Retail Food Code, permanent restrooms must be available (within 200 feet) for employees. Refuse containers and refuse removal shall be of sufficient size and location with the frequency of removal being adequate so as not to create any public nuisance regarding the accumulation of garbage and / or refuse at the event.

Please contact the Consumer Protection program of Resource Management at (707) 784-6765 for additional information.

The facility currently meets the definition of a State Small Water System (SSWS) and must obtain a permit (CCR Title 22 §64211) from Solano County and monitor the water supply per CCR Title 22 § 64212 and 64213 for constituents because there are at least 5, but less than 14, water service connections onsite. Contact the Technical program of Environmental Health at (707) 784-6765 for additional information.

46. The Silveyville Tree and Pumpkin sales area, if limited to 25 days within a 90-day period, may qualify as a Community Event and apply for a temporary event permit with the submission of applications for each location which will sell or give away food to the public. Please contact the Consumer Protection program of Resource Management at (707) 784-6765 for the application and guidance on your submission. A Temporary Food Facilities permit may not be issued to operate within a structure which does not meet all applicable building and fire standards. The use of portable toilets, from a vendor licensed with this office, is required if a "Community Event" finding is made to allow for the operations of the proposed activities for a time period not to exceed 25 days within a 90-day period.

Conditions Applicable to the Timbers Event Space

47. Events conducted at the Timbers Event Space are not community events. The Timbers has a maximum event size of 200 persons and the occupancy shall be restricted to that limit. The Timbers Event Space shall provide permanent parking and restroom facilities based upon that limitation.

The addition of the Timbers Event space will increase public attendance to the property and cause the property to exceed the threshold of serving water to 25 or more people for 60 or more days of the year. This shall require the facility to obtain and maintain a Public Water System permit from the Division of Drinking Water. The number of persons served includes residents, visitors, employees, and guests; the facility is advised that the water system will need to be designed for the maximum daily demand. Permits for public water systems are issued from the California Regional Water Quality Control Board, Drinking Water Division; the contact information for our regional engineer is: Marco Pacheco, Division of Drinking Water (510) 620-3474.

NOTE: Once the parcel has a PWS permit the system may be evaluated to determine if it no longer is required to maintain the SSWS permit.

48. The Timbers Event space will require an onsite wastewater treatment system (OWTS) that meets the standards of Solano County Code Ch. 6.4: Sewage Standards. The system sizing shall be based upon the anticipated amount and type of use at the event space.

Conditions Applicable to the Entire Site

49. The Hazardous Materials Section of Environmental Health shall verify if permit requirements are applicable to the project site. A Hazardous Material Business Plan (HMBP) is required when chemicals stored onsite meet or exceed 55 gallons liquid, 200 cubic feet of gas and/or 500 pounds of solid, potentially hazardous materials.

Dixon Fire Protection District

50. Plans submitted for building permit must meet all requirements of the Uniform Building and

Fire Codes. Occupancies will be determined by the County Building Official for restrictions.

New buildings may require protection by an automatic fire sprinkler system. System plans must be submitted to the Dixon Fire Protection District for permit, plan review and field inspections.

51. Other Fire Protection Systems and Alarms may be required pending occupancy use.
52. Public events on-site may have special requirements.
53. Access Road and building approach must meet County and Fire Code Standards.
54. Occupant load and exits will be determined upon submission of plans for building permit.
55. The access road must meet all Solano County requirements for use as a commercial driveway. This may include adequate turning radius or approved turnarounds capable of supporting fire apparatus.
56. Any gate entrances shall be at least 16 ft. wide. If gate is locked, it will be required to be provided with approved fire department access devise.
57. Prior to issuance of building permits, all requirements of the Dixon Fire Protection District shall be met.

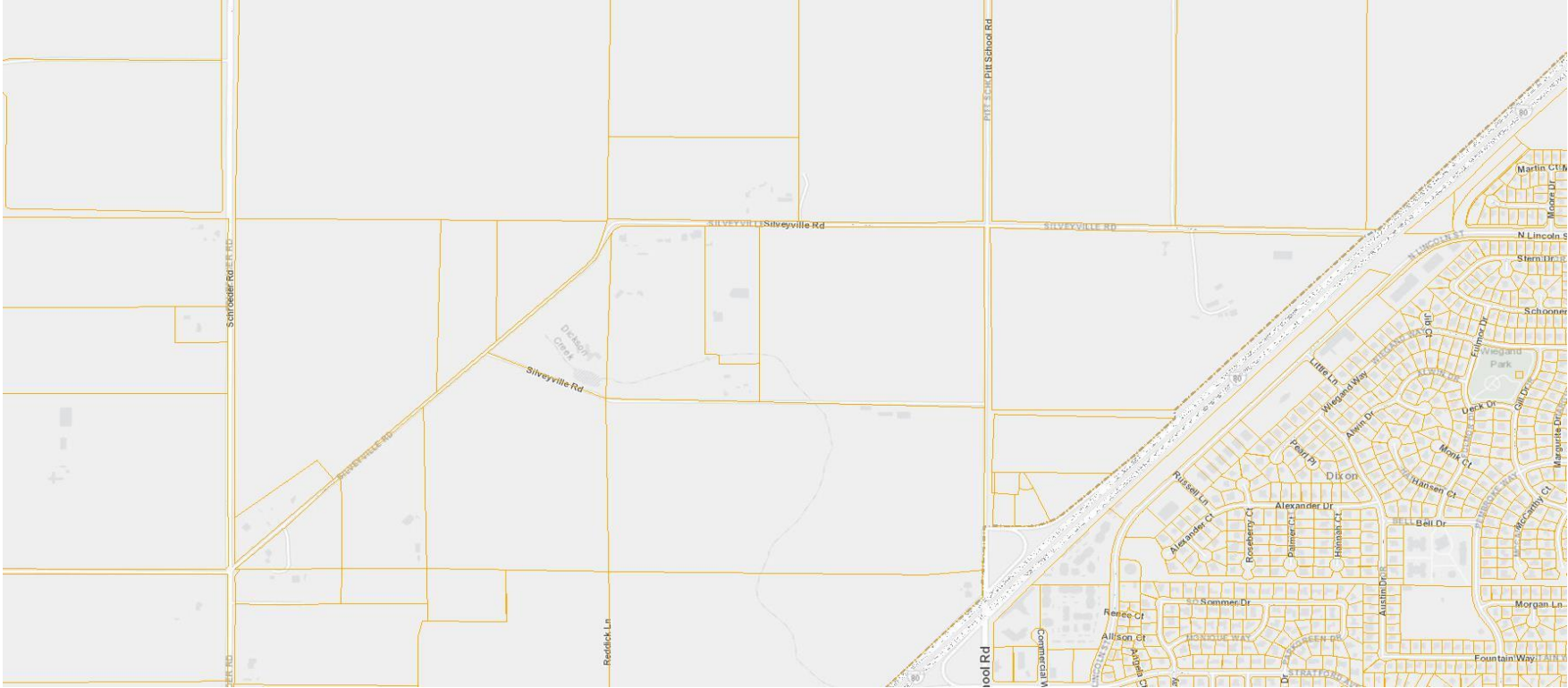
Public Works – Engineering Conditions

58. The Permittee shall apply for, secure and abide by the conditions of a grading permit prior to the construction of the private driveways and parking areas. Public Works Engineering will require the submittal of a drainage plan showing all offsite and onsite improvements necessary to manage storm water issues related to this development.
59. The Permittee shall apply for, secure and abide by the conditions of an encroachment permit for the existing private road connections to Silveyville Road. Traffic and parking management shall be required according to Condition 32, Traffic and Parking Management.

Other Agency Conditions of Approval

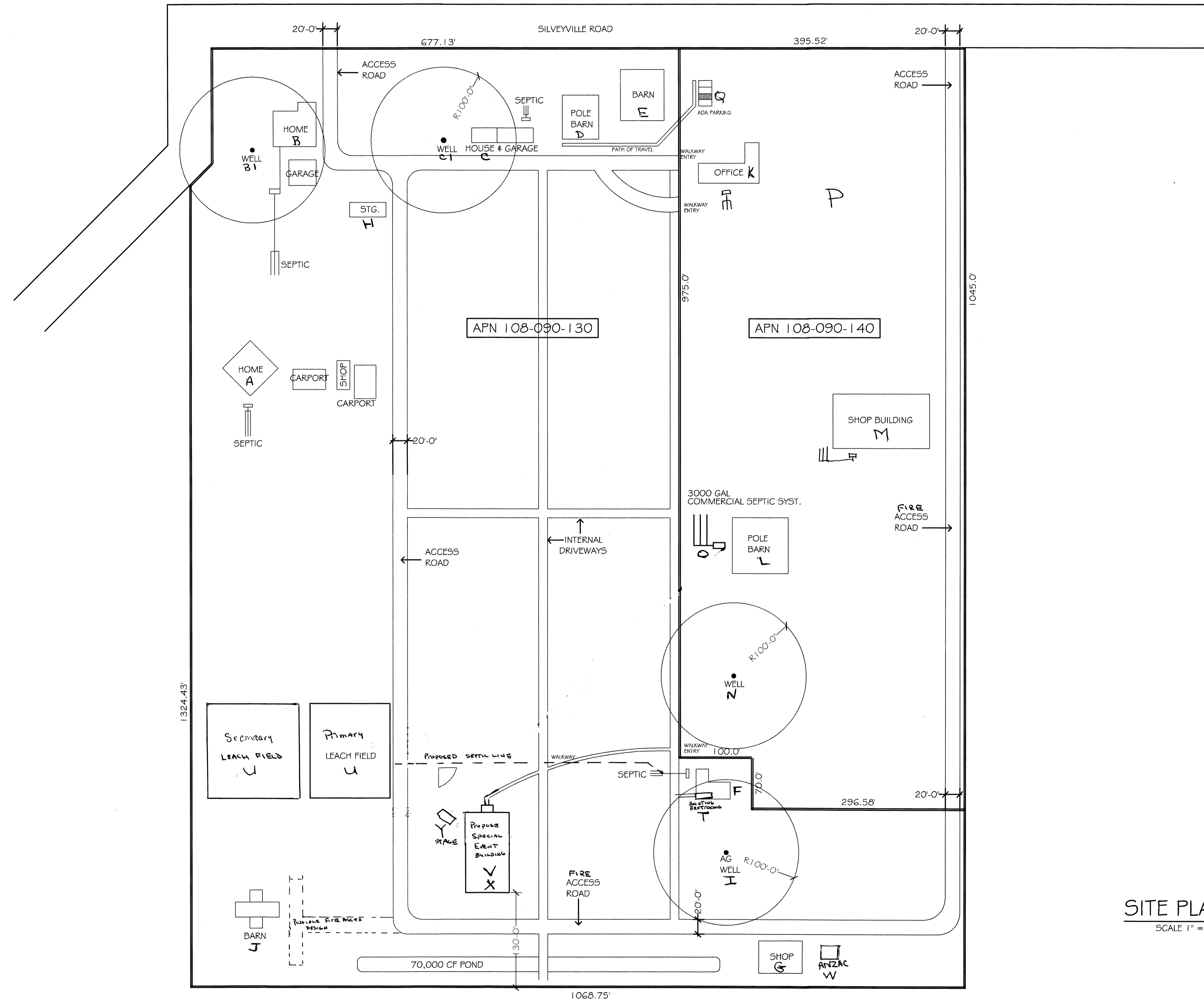
60. **Other Agencies.** Certain land uses are subject to laws and regulations administered by federal, state, regional and local agencies and may require additional licenses or permits, prior to conducting the land use. Prior to conducting any land use authorized under this Chapter, any other licenses or permits required by any other agency must be obtained.

Attachment C Vicinity Map



Attachment D Aerial Vicinity Map



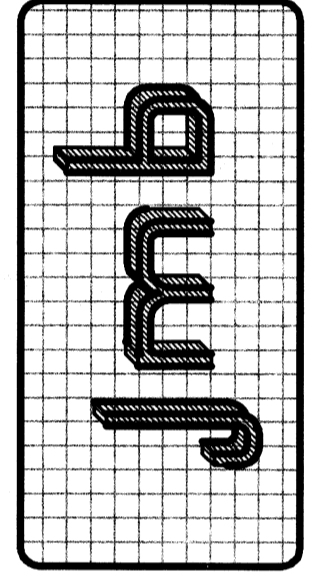


SITE PLAN
SCALE 1" = 80'



DATE	REVISION

JOHN M. BERG
DRAFTING AND DESIGN
P.O. BOX 535
GRAEAGLE, CA 98103
530-820-2255



SITE PLAN

6224 SILVEYVILLE ROAD
DIXON, CA 95620

APN 108-090-130
APN 108-090-140

SHEET
SITE

Attachment E Aerial Site View



**SOLANO COUNTY
UNIFORM RULES AND PROCEDURES
GOVERNING AGRICULTURAL PRESERVES AND
LAND CONSERVATION CONTRACTS**

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Appendices A through F

I. INTRODUCTION

These uniform rules and procedures implement the Solano County Agricultural Preserve Program as authorized under the California Land Conservation Act of 1965 (Williamson Act).

The Legislature of the State of California in enacting the Williamson Act declared:

“That the preservation of a maximum amount of the limited supply of agricultural land is necessary to the conservation of the state’s economic resources, and is necessary not only to the maintenance of the agricultural economy of the state, but also for the assurance of adequate, healthful and nutritious food for future residents of this state and nation.” (Gov. Code Section 51220 (a))

The Williamson Act program is designed to protect agricultural land for continued commercial agricultural use primarily for the production of food and fiber and other lands devoted to open-space and recreational uses. These rules set forth the eligibility requirements, land use restrictions and procedures for entering into and terminating agricultural preserves and land conservation contracts within Solano County.

Under the Solano County Agricultural Preserve Program, an agricultural preserve is established by the County at the request of one or more property owners within areas devoted to agricultural use, recreational use and/or open-space use, as defined in the Williamson Act. Establishment of an agricultural preserve is a prerequisite for property owners wishing to enter into land conservation contracts with the County. Under Solano County’s program, a property owner makes application simultaneously for either the establishment or expansion of an agricultural preserve and approval of a land conservation contract.

A land conservation contract is a contract entered into by the property owner and the County that enforceably restricts the use of the land for agricultural, recreational and/or open space uses for a minimum term of 10 years. In exchange, the property receives a reduction in property taxes while the contract is in effect. Under the program, contracted property is assessed on the basis of the agricultural income producing capability of the land, the fair market value, or the Proposition 13 value, whichever is less.

II. DEFINITIONS

- A. **Agricultural commodity** – means any and all plant and animal products produced in the State of California for commercial purposes.
- B. **Agricultural employee** – means a person employed by the farm operator primarily to work in agricultural activities on the contracted property or on other property controlled by the farm operator, together with the employee’s family members.
- C. **Agricultural preserve** – means an area devoted to either agricultural use as defined in Section III(C), recreational use as defined in Section V(A)(2), or Open-space use as defined in Section V(A)(1), or any combination of those uses, and which is established in accordance with these Uniform Rules and Procedures.
- D. **Agricultural use** – means use of land for the purpose of producing an agricultural commodity for commercial purposes.
- E. **Contiguous and Contiguous parcels** – means that each parcel must touch or abut at least one other parcel, but not all other parcels.
- F. **Contract** – means Land Conservation Contract.
- G. **Farm operator** – means a property owner or lessee who conducts or controls the agricultural use of the property, together with the farm operator’s family members.
- H. **Legal Parcel** – means parcel was created consistent with the requirements of the State Subdivision Map Act.
- I. **Non-prime agricultural land** – means agricultural land other than “Prime agricultural land” as defined in Section II(K).
- J. **Ownership** – means any persons, corporation, or several persons together that have an undivided interest in the land.
- K. **Prime agricultural land** - means any of the following:
 - 1. Land which qualifies for rating as class I or class II in the Natural Resource Conservation Service land use capability classifications.

2. Land which qualifies for rating 80 through 100 in the Storie Index Rating.
3. Land which supports livestock used for the production of food and fiber and which has an annual carrying capacity equivalent to at least one animal unit per acre as defined by the United States Department of Agriculture.
4. Land planted with fruit-or nut-bearing trees, vines, bushes or crops which have a nonbearing period of less than five years and which will normally return during the commercial bearing period on an annual basis from the production of unprocessed agricultural plant production not less than two hundred dollars (\$200) per acre.
5. Land which has returned from the production of unprocessed agricultural plant products an annual gross value of not less than two hundred dollars (\$200) per acre for three of the previous five years.

L. Property owner – includes stockholders in family corporations, beneficiaries of family trusts and estates, owners of undivided partial interests, and joint tenants.

M. Williamson Act – means California Land Conservation Act of 1965, codified in the California Government Code beginning at section 51200

III. ELIGIBILITY REQUIREMENTS FOR PRESERVES AND FARMLAND CONSERVATION CONTRACTS FOR AGRICULTURAL USES

A. Applications

1. Applications to establish or amend agricultural preserves and to enter into land conservation contracts shall be made by the owner of the affected property.
2. Applications to establish or amend agricultural preserves shall be made simultaneously with, and shall be deemed to be applications to enter into land conservation contracts within the area to be included in the agricultural preserve. Each land conservation contract shall be established by a separate application.
3. A single application to establish one land conservation contract consisting of two or more parcels may be made by a single applicant only if the applicant owns all the parcels and

all the parcels are contiguous. Contiguous parcels under different ownership require separate applications.

4. Any application for a lot line adjustment or land division of a parcel or parcels subject to a land conservation contract, that proposed to change the outer perimeter of the land subject to the contract, shall be accompanied by an application for a replacement contract. The replacement contract must comply with all requirements described in this section.

B. Agricultural Preserves

1. General Requirements

- a. Property must be eligible to enter into a land conservation contract at the time the property is established as, or annexed to, an agricultural preserve.
- b. Only whole, legally created parcels shall be established as, or annexed to, an agricultural preserve. For parcels that are not created by a recorded parcel or final map, or for which a Certificate of Compliance has not been recorded, an application for a Certificate of Compliance shall accompany the application for agricultural preserve.
- c. An application to establish, or annex to, an agricultural preserve shall be denied if an incompatible use exists on the land proposed for inclusion within the agricultural preserve.

2. Minimum Preserve Size

- a. Agricultural preserves created or amended after January 1, 2006, shall consist of no less than 100 acres, except as provided in the next paragraph. Two or more parcels may be included within a single preserve if they are contiguous.
- b. Agricultural Preserves of less than 100 acres may be established if the Board of Supervisors finds that:
 - 1.) A smaller preserve is necessary due to the unique characteristics of the agricultural enterprises in the area;
 - 2.) Each parcel meets the minimum parcel size requirements for land conservation contracts; and

- 3.) The proposed preserve is Prime agricultural land.

3. Amendments to Agricultural Preserves

- a. Agricultural preserves may be amended and additional contiguous parcels which meet the minimum parcel size for land conservation contract may be annexed to the preserve, provided the parcels being added to the preserve meets the requirements of Section III(B)(1).
- b. Contiguous parcels that are less than the minimum parcels size for Land Conservation Contract may be annexed to an existing preserve provided that the parcel meets all other requirements of Section III(B)(1) and is merged with a parcel within the existing preserve through a lot line adjustment consistent with the requirements under Section VI or by parcel merger. The property owner under the existing preserve must agree to rescind the existing contract or contracts and simultaneously enter into a new contract or contracts consistent with the approved lot line adjustment or parcel merger.
- c. A non-contiguous parcel may be annexed to an existing agricultural preserve if the parcel is under the same ownership as one or more parcels within the preserve, meets the requirements under Section III.(B)(1) and (2), above, and is operated as a single agricultural enterprise together with those parcels under the same ownership within the preserve.
- d. Non-preserve islands surrounded by agriculture preserve lands may be considered as eligible when all of the island is to be included in the preserve and all other eligibility criteria other than parcel size is met.

C. Land Conservation Contracts

To be eligible to enter into a land conservation contract, amend an existing contract, and to maintain eligibility while under contract, the property must meet the requirements described in this subsection.

1. Commercial Agricultural Use

- a. The property must be in commercial agricultural use at the time of application for an agricultural preserve and land conservation contract and must be maintained in

commercial agricultural use during the life of the contract. Agricultural use is defined as “use of land for the purpose of producing an agricultural commodity for commercial purposes” (Gov. Code Section 51201(b)). Agricultural commodity is defined as “any and all plant and animal products produced in this state for commercial purposes” (Gov. Code Section 51201(a)).

- b. To determine whether a property is in commercial agricultural use, the County has set minimum production values based on annual Williamson Act surveys conducted by the Assessors/Recorders Office. The minimum production values by agricultural activities for the last five (5) years are presented in Appendix F. The production values will be updated on an annual basis based on information produced by the Assessors/Recorders Office.
- c. The County may request that a property owner provide evidence that the property is in commercial agricultural use by submitting documentation that the production value for the property meets or exceeds the minimum production value for 3 out of the last 5 years.

2. Compatible Land Uses

- a. Compatible land uses includes any use designated as a compatible use by the Williamson Act and any permitted and compatible land use as set forth in Section IV of these rules.
- b. The establishment of any use other than an agricultural use or compatible use, as defined in the Williamson Act and Section IV, shall constitute a breach of contract.

3. General Plan Requirements

The property must be designated on the Land Use Diagram of the Solano County General Plan under one of the following land use categories:

Agriculture
Watershed
Marsh

4. Zoning Requirements

- a. The property must be within one of the following zoning districts and in full compliance with all regulations for that district as described in the Zoning Code (Chapter 28 of the Solano County Code):

Exclusive Agriculture: A-20, A-40, A-80 and A-160

Limited Agriculture: AL-80 and AL-160

Watershed and Conservation: W

Marsh Preservation: MP

Suisun Valley Agriculture: A-SV-20

- b. If the property is not appropriately zoned, an agricultural preserve may be established contingent upon the parcel or parcels within the preserve being appropriately rezoned consistent with the Solano County General Plan. An application for such rezoning must be filed by the property owner within thirty (30) days of such action. The establishment of the preserve shall be effective upon completion of the rezoning, and the land conservation contract may then be executed and recorded.
- c. The establishment of an agricultural preserve and entry into a land conservation contract does not eliminate the requirement that the owner of the property comply with all other applicable zoning, land use laws, and regulations of Solano County.

5. Minimum Parcel Size

- a. Only whole, legally created parcels shall be accepted under a land conservation contract.
- b. For parcels of land defined as Nonprime Land, the minimum parcel size within a land conservation contract is 40 acres.
- c. For parcels of land defined as Prime Land, the minimum parcel size within a land conservation contract is 10 acres.
- d. Existing prime and nonprime land conservation contracts established prior to January 1, 2006, which do not meet these whole-parcel or minimum parcel size requirements shall continue to be eligible for preserve and contract status provided that no changes are made to the contract boundaries.

D. Binding Effect of Land Conservation Contracts

Land conservation contracts shall run with the land and are binding upon any heir, successor, lessee, or assignee.

IV. PERMITTED AND COMPATIBLE LAND USES FOR ALL PRESERVES FOR AGRICULTURAL USE

Land within an agricultural preserve for agricultural purposes shall be maintained in commercial agricultural use subject to the permitted and compatible use requirements under this Section. Lands subject to an agricultural preserve for open space or recreational purposes shall be subject to the permitted and compatible use requirements set forth in Section V, below.

A. Principles of Compatibility

1. Non-agricultural uses on contracted lands shall be consistent with all of the following principals of compatibility, as set forth under Section 51238.1(a) of the Government Code:
 - a. The use will not significantly compromise the long-term productive agricultural capability of the subject contracted parcel or parcels or on other contracted lands in agricultural preserves.
 - b. The use will not significantly displace or impair current or reasonably foreseeable agricultural operations on the subject contracted parcel or parcels or on other contracted lands in agricultural preserves. Uses that significantly displace agricultural operations on the subject contracted parcel or parcels may be deemed compatible if they relate directly to the production of commercial agricultural products on the subject contracted parcel or parcels or neighboring lands, including activities such as harvesting, processing, or shipping.
 - c. The use will not result in the significant removal of adjacent contracted land from agricultural or open-space use. In evaluating compatibility, the Board of Supervisors shall consider the impacts on noncontracted lands in the agricultural preserve or preserves.
2. Compatible uses that are permitted subject to a conditional use permit on prime land shall be subject to conditions or

mitigation requirements such that the conditional uses conform to the principles of compatibility set forth in Section IV.A.1 above.

3. Compatible uses that are permitted subject to a conditional use permit on nonprime land may be approved based on findings demonstrating the following, as provided under Section 51238.1(c) of the Government Code:
 - a. Conditions have been required for, or incorporated into, the use that mitigate or avoid those onsite and offsite impacts so as to make the use consistent with the principles set forth in Section IV(A)(1) above to the greatest extent possible while maintaining the purpose of the use.
 - b. The productive capability of the subject land has been considered as well as the extent to which the use may displace or impair agricultural operations.
 - c. The use is consistent with the purposes of the Agricultural Preserve Program to preserve agricultural and open-space land or supports the continuation of agricultural uses, as defined in these rules, or the use or conservation of natural resources, on the subject parcel or on other parcels in the agricultural preserve.
 - d. The use does not include a residential subdivision.

B. Additional Compatibility Criteria

1. A compatible use must be secondary to the primary use of the land for commercial agricultural purposes. A use is considered secondary when it is required for or is part of the agricultural use.
2. A use is incompatible if it increases the temporary or permanent human population on the subject property and that increase population could hinder or impair agricultural operations on the subject property and/or other agricultural lands in the vicinity.
3. Housing for agricultural laborers is a compatible use and the State Legislature has declared that such use of agricultural land is in the public interest.
4. A use is incompatible if it will encourage the premature conversion of agricultural land to non-agricultural uses.

5. A residential use identified in Section IV(C) shall be presumed not to be a residential subdivision if established on a parcel that complies with the minimum parcel size required under the applicable zoning district.
6. Public horse boarding or breeding stables (including arenas for training and shows as ancillary uses), and kennels are compatible uses on nonprime land if the total area of the horse or kennel operation, and related facilities (including parking, landscaping, driveways, or other disturbed area), does not exceed 3% of the area of the legal parcel or 5 acres, whichever is less, and; the facility must be managed by the resident farm operator.

C. Residential Uses Incidental to Agricultural Use

Providing housing opportunities on lands under agricultural preserve in order to accommodate farm operators, their families, and their agricultural employees is consistent with the primary purpose of the Williamson Act to maintain agricultural land in commercial agricultural use. These rules allow for limited residential opportunities on contracted land, provided that the use does not conflict with the agricultural operations. The residential uses permitted on contracted land are more restrictive than authorized by the underlying zoning district.

The following residential uses are considered incidental to the commercial agricultural use of the land when it provides housing opportunities as follows:

1. Principal Dwelling – a single-family dwelling providing housing for the farm operator or agricultural employee.
2. Secondary Dwelling– a second single-family dwelling on the same parcel as the principal dwelling that provides housing for the farm operator or agricultural employee.
3. Agricultural Employee Housing – temporary manufactured dwelling unit on parcels of 20 acres or more. Provides housing for an agricultural employee(s).
4. Temporary Single Family Dwelling – temporary manufactured dwelling allowed when the principal or secondary dwelling is under construction. Provides temporary housing for the farm operator or agricultural employee.

D. Determination of Compatible Use

A property owner may request a determination of compatibility by the Planning Commission upon written request based on new and sufficient evidence of a use's compatibility with the purposes and intent of the Williamson Act based on the compatibility criteria set forth in subsections A and B above and that the use is incidental to the commercial agricultural use of the property. The Planning Commission may seek advice from the Department of Conservation as part of its review.

E. Permitted and Compatible Land Use Table

Table A identifies agricultural uses and uses determined by the Solano County Board of Supervisors to be compatible with agriculture for lands within agricultural preserve. It should be noted that in some cases, the permitted and compatible uses are more restrictive than the uses allowed and permitted under the applicable zoning district.

V. ELIGIBILITY REQUIREMENTS AND PERMITTED AND COMPATIBLE USES FOR PRESERVES FOR OPEN SPACE AND RECREATIONAL USES

A. The California Land Conservation Act of 1965 provides that agricultural preserves may be established that consist of land devoted to open-space or recreation uses which are defined as follows:

1. Open-Space use is the use or maintenance of land in such a manner as to preserve its natural characteristics, beauty, or openness for the benefit and enjoyment of the public, to provide essential habitat for wildlife, or for the solar evaporation of sea water in the course of salt production for commercial purposes, if such land is within one of the following defined areas:

a. A "scenic highway corridor" which is an area adjacent to, and within view of, the right-of-way of: (a) an existing or proposed state scenic highway in the state scenic highway system established by the State legislature pursuant to Streets and Highways Code Sections 260 et seq. and which has been officially designated by the State Department of Transportation as an official state scenic highway, or (b) a county scenic highway established pursuant to Streets and Highways Code Sections 260 et seq. if it is included in the adopted county general plan, adopted specific plan for the county, and specific proposals for implementing the plan, including

regulation of land use, have been approved by the Advisory Committee on a Master Plan for Scenic Highways, and the county highway has been officially designated by the State Department of Transportation as an official county scenic highway.

- b. A "wildlife habitat area" which is a land or water area designated by the Board of Supervisors, after consulting with and considering the recommendation of the State Department of Fish and Game, as an area of great importance for the protection or enhancement of the wildlife resources of the state.
 - c. A "saltpond," which is an area which, for at least three consecutive years immediately prior to being placed within an agricultural preserve, has been used for the solar evaporation of sea water in the course of salt production for commercial purposes.
 - d. A "managed wetland area," which may be an area diked off from the ocean or any bay, river, or stream to which water is occasionally admitted, and which, for at least three consecutive years immediately prior to being placed within an agricultural preserve was used and maintained as a waterfowl hunting preserve or game refuge or for agricultural purposes.
 - e. A "submerged area," which is any land determined by the Board of Supervisors to be submerged or subject to tidal action and found by the Board to be of great values to the state as open space.
2. **Recreational Use** is the use of land in its agricultural or natural state by the public with or without charge, for walking, hiking, picnicking, camping, swimming, boating, fishing, hunting, or other outdoor games or sports for which facilities are provided for public participation. Any fee charged for any of these recreational uses of land shall be reasonable amount and shall not have the effect of unduly limiting its use by the public. Any ancillary structures necessary for recreational use shall comply with the provisions of Section IV(A)(1) above.

B. Eligibility Standards

1. Except for the General Plan Requirements and Zoning Requirements as provided under this section, all other

eligibility standards set forth in Section III above shall apply to preserves for open space and recreational use.

2. General Plan Requirements

The property must be designated on the Land Use and Circulation Map of the Solano County General Plan under one of the following land use categories:

Watershed
Marsh

3. Zoning Requirements

The property must be zoned under the Zoning Code (Chapter 28 of the Solano County Code) under one of the following zoning districts:

Watershed and Conservation
Marsh Preservation

C. Permitted and Compatible land uses

Permitted and compatible uses for lands within preserves established for open-space or recreational uses shall be established at the time of considering an application to establish the preserve, based on the compatibility principles and criteria described in Section IV and the uses authorized by the applicable zoning district regulations.

VI. LOT LINE ADJUSTMENTS

A. In addition to all other requirements applicable to lot line adjustments, a lot line adjustment involving one or more parcels under land conservation contract shall not be approved unless the Planning Commission or Board of Supervisors makes the following findings, as required by Gov. Code Section 51257(a):

1. The lot line adjustment complies with all of the findings and requirements for lot line adjustments as set forth in Chapter 26, Article IV of the Solano County Code.
2. The new contract or contracts would enforceably restrict the adjusted boundaries of the parcel for an initial term for at least as long as the unexpired term of the rescinded contract or contracts, but for not less than 10 years.

- 3.** There is no net decrease in the amount of the acreage restricted. In cases where two parcels involved in a lot line adjustment are both subject to contracts rescinded pursuant to this section, this finding will be satisfied if the aggregate acreage of the land restricted by the new contracts is at least as great as the aggregate acreage restricted by the rescinded contracts.
 - 4.** At least 90 percent of the land under the former contract or contracts remains under the new contract or contracts.
 - 5.** After the lot line adjustment, the parcels of the land subject to contract will be large enough to sustain their agricultural use.
 - 6.** The lot line adjustment would not compromise the long-term agricultural productivity of the parcel or other agricultural lands subject to a contract or contracts.
 - 7.** The lot line adjustment is not likely to result in the removal of adjacent land from agricultural use.
 - 8.** The lot line adjustment does not result in a greater number of developable parcels than existed prior to the adjustment, or an adjusted lot that is inconsistent with the Solano County General Plan.
- B.** A lot line adjustment involving parcels under more than one land conservation contract, or which would alter the outer perimeter of the land subject to contract, shall be heard by the Board of Supervisors and may be approved only if the landowner(s) and County mutually agree to rescind the contracts and simultaneously enter into a replacement contract or contracts pursuant to these rules
- C.** A lot line adjustment involving parcels under a single land conservation contract and which would not alter the outer perimeter of the land subject to that contract shall be heard by the Planning Commission. Because the contract runs with the land and applies to the newly-configured parcels, no replacement contract is required.
- D.** The lot line adjustment shall not result in a parcel under contract that is less than 10 acres for Prime land or less than 40 acres for Nonprime land.

- E.** If a replacement contract is required, the replacement contract shall be recorded simultaneously with the Certification of Compliance for the lot line adjustment.
- F.** A lot line adjustment shall not be approved if notice of nonrenewal has been filed on any parcel involved in the lot line adjustment.

VII. SUBDIVISIONS

- A.** Land subject to a land conservation contract shall not be subdivided unless all parcels created by the subdivision will comply with the following minimum size requirements:
 - 1.** 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.
 - 2.** Except for parcels zoned A-SV-20, the minimum parcel size for new parcels created within preserves established or amended on or after December 27, 1977, is 80 acres.
 - 3.** For parcels zoned A-SV-20, the minimum parcels size for new parcels created within preserves is 20 acres.
- B.** In addition to all other requirements applicable to subdivisions, 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).
- C.** Subdivisions that alter the outer perimeter of land subject to a land conservation contract shall only be approved only if the landowner(s) and County mutually agree to rescind the contract or contracts and simultaneously enter into a replacement contract or contracts pursuant to these rules.

- D. The subdivision approval shall require that the replacement contract or contracts be approved prior to, and recorded simultaneously with, the parcel map or final map.
- E. Acquisition of land within a preserve by a public agency is not a subdivision of land for purposes of these Rules and Procedures, and the minimum parcel size requirements described in Section VII(A) shall not apply either to the land acquired by the public agency or to the remainder parcel.

VIII. APPLICATION PROCEDURES

A. Agricultural Preserves and Land Conservation Contracts

- 1. Appendix A

B. Notice of Non-renewal

- 1. Appendix B

C. Cancellation

- 1. Appendix C

D. Building Permits

- 1. Appendix D

IX. Monitoring Procedures for Land Conservation Contracts

- A. To insure compliance with the requirements to maintain the property in commercial agricultural use, the property owner shall maintain records of annual productive acreage and its production value to demonstrate continued eligibility, and shall provide this information to the County upon request.
- B. The Assessor/Recorders Office mails annual surveys on agricultural production to property owners with lands under a Land Conservation Contract. Property owners shall return Assessor's requests for information by the due date noted on the survey. Failure to return complete information will require the Assessor to estimate agricultural production, income and expenses for the parcels.

Table A

PERMITTED (P), COMPATIBLE (C), and NON-PERMITTED (NP) LAND USES		
LAND USE	LAND TYPE	
	PRIME	NON-PRIME
AGRICULTURAL LAND USES		
Crop production, including orchards and vineyards	P	P
Minor agricultural related ancillary uses (including harvesting or trucking of onsite & offsite product)	P	P
Aquaculture	P	P
Animal production facilities and operations		
Kennels and catteries	NP	C Section IV.B.6
Fowl and poultry ranches	P	P
Grazing	P	P
Hog ranches	P	P
Confined animal facilities, including dairies	P	P
Agricultural accessory structures	P	P
Wind turbine generators, non-commercial (over 100 ft.)	C	C
Agricultural processing facility – On-site products	P	P
Agricultural processing facility – Off-site products	C	C
Agricultural processing facility with special events	C	C
RESIDENTIAL USES		
Principal dwelling	C	C
Secondary dwelling	C	C
Agricultural employee housing	C	C
HCD Agricultural employee housing	C	C
Home occupations	C	C
Rural resident enterprise	C	C
Storage, manufactured home	C	C
Temporary single family dwelling	P	P
Stable, private	C	C
HABITAT LAND USES		
Management of wetlands	NP	C
Restoration of tidal, managed and seasonal wetlands using approved dredge sediments.	NP	C

PERMITTED (P), COMPATIBLE (C), and NON-PERMITTED (NP) LAND USES		
LAND USE	LAND TYPE	
	PRIME	NON-PRIME

RECREATION, EDUCATION AND PUBLIC ASSEMBLY USES		
Boating and swimming facilities on existing waterways	NP	C
Stable, public, horse show and horse breeding	NP	C Section IV.B.6
Hunting and fishing clubs	C	C
Agricultural education	C	C
Limited public events	NP	NP
Marsh oriented recreation use and use incidental to recreation	NP	C
Commercial recreation use (e.g. bait shop, refreshment stand)	NP	C
Scientific research and education facility directly related to the marsh environment and similar uses as may be determined by the Planning Commission.	NP	C

RETAIL TRADE USES		
Farm supplies and farm equipment sales	NP	NP
Roadside stands, 80 feet or more from street centerline	P	P
Roadside stands, less than 80 feet from street centerline	P	P

AGRICULTURAL SERVICE USES		
Veterinary facilities	NP	NP
Agricultural trucking services and facilities	NP	NP
Airfields and heliports, Agricultural	NP	NP
Custom farm services, e.g. hay baling	NP (unless clearly ancillary to onsite agriculture)	NP (unless clearly ancillary to onsite agriculture)
Farm equipment fabrication and repair	NP (unless clearly ancillary to onsite agriculture)	NP (unless clearly ancillary to onsite agriculture)

PERMITTED (P), COMPATIBLE (C), and NON-PERMITTED (NP) LAND USES		
LAND USE	LAND TYPE	
	PRIME	NON-PRIME
COMMUNICATIONS AND INFRASTRUCTURE USES		
Injection wells	C	C
Oil and gas wells	C	C
Pipelines, transmission and distribution lines in R.O.W.	C	C
Public service facility	C	C
Cemetery	NP	NP
Refuse dumping, disposal, processing, composting	NP	NP
Surface mining operation	NP	C
Utility facilities or infrastructure, outside of R.O.W.	C	C
Wind turbine generators, commercial	C	C
Wireless communication facilities	C	C
Dredging of minerals or natural materials	NP	C
Temporary facilities for the transfer of levee materials from shore to barge.	NP	C
Restoration of tidal, managed and seasonal wetlands using approved dredged sediments.	NP	C

Appendix A

PROCEDURE FOR ESTABLISHMENT OF AGRICULTURAL PRESERVES AND LAND CONSERVATION CONTRACTS IN SOLANO COUNTY

Establishment of Agricultural Preserves and Land Conservation Contracts as enabled by the California Land Conservation Act of 1965 (Williamson Act), as amended.

1. A land owner may petition the Solano County Board of Supervisors for establishment of an agricultural preserve and enter into a land conservation contract with the County pursuant to the Act by filing an application with:

**The Solano County Department of Resource Management
675 Texas Street, Suite 5500, Fairfield, CA 94533**

2. One ownership only is permitted under each application and may consist of a single parcel or several contiguous parcels.
3. Each application must be completed and accompanied by:
 - a. Assessor's Parcel Map showing the proposed preserve outlined in red and matching the legal description. (Secure map from Assessor's Office.)
 - b. A copy of the written legal or deed description of the property to be placed under contract.
 - c. Two (2) standard form contracts signed by the applicant-owner(s) and notarized restricting the property to agricultural or compatible uses. (Secure forms from the Resource Management office.)
 - e. Evidence that the property is in commercial agricultural use by submitting documentation that the production value for the property meets or exceeds the minimum production value for 3 out of the last 5 years as established in the County's Uniform Rules and Procedures Governing Agricultural Preserves and Land Conservation Contracts
 - d. Filing Fee: As determined by the Board of Supervisors

The Application Filing Fee includes the cost of time and materials for Planning Services Division processing, reporting, public notice and hearing for this type of application. This fee does not include environmental review. **If time and materials needed to process your application exceed the application filing fee amount plus 100% of the fee amount, you will be billed for the additional costs incurred by the County.**

Note: All application materials must be submitted 8 1/2 x 11 inches in size to be recorded. Application materials may not be taped or stapled to any sheet.

4. Upon acceptance of the application by Resource Management, the steps below will be followed:
 - a. The Solano County Planning Commission will hold a public hearing on applications that require an interpretation of consistency with the County's Uniform Rules and Procedures Governing Agricultural Preserves and Land Conservation Contracts or the Williamson Act.
 - b. The Board of Supervisors will hold a public hearing and decide whether or not to establish the agricultural preserve and enter into the land conservation contract.
 - c. The contract referred to in 3(b) above will be executed by the Board of Supervisors, if the decision is to approve and establish the agricultural preserve.
 - d. One copy of the executed contract will be mailed to the applicant-owner(s) and the other copy will be retained by the County and recorded.
5. Applicant will be notified of public hearings and resulting actions. Applicants are encouraged to attend and be available to answer questions which may arise at each of the public hearings.

Note: Applications may require up to 90 days or longer in some cases to process. Applications accepted after October 1 may not be processed in time to meet the following year tax roll effective January 1.

Appendix B

PROCEDURES FOR FILING NOTICE OF NONRENEWAL OF LAND CONSERVATION (Williamson Act) CONTRACTS

1. **GENERAL COMMENTS** - If the landowner desires in any year not to renew the land conservation contract, the landowner shall serve written notice of nonrenewal of the contract upon the Board of Supervisors 90 days in advance of the annual renewal date of the contract. Unless such written notice is served by the landowner's at least 90 days prior to the annual renewal date, the contract shall be considered renewed as provided in Section 51244 or 51244.5 of the Government Code.
2. **FILING NOTICE** - A written notice must be signed by the owner(s) of the contracted land and filed with the Clerk to the Board of Supervisors.
3. **RECORDING NOTICE** - Within 20 days of receipt of a correctly filed written notice, the Clerk to the Board of Supervisors shall record with the County Recorder a copy of the Notice of Nonrenewal and notify the Planning Services Division of the recording.
4. **NOTICE TO STATE DEPARTMENT OF CONSERVATION** - The Planning Services Division shall provide a copy of the Notice of Nonrenewal to the Director of Conservation within 30 days of receipt of correctly filed written notice.
5. **EFFECT** - Upon filing Notice of Nonrenewal, the contract shall remain in effect for the balance of the period remaining (approximately 9 years) except that taxes will gradually increase towards full unrestricted value. Contact the County Assessor's Office to determine the rate and amount of any tax increase.

NOTE: Notice of Nonrenewal forms are available at the Department of Resource Management, Planning Services Division. It is recommended the form be returned to the Planning Services Division to be checked for completeness prior to filing with the Clerk to the Board of Supervisors for recordation.

Appendix C

LAND CONSERVATION CONTRACT (Williamson Act) CANCELLATION INSTRUCTIONS

1. **GENERAL COMMENTS** - The purpose of this process is to remove land from an Agricultural Preserve and Land Conservation Contract. This removes the property from the land use restrictions associated with the Uniform Rules and Procedures Governing Agricultural Preserves and Land Conservation Contracts in Solano County and also eliminates any tax savings inherent in land conservation contract assessments.
2. **APPLICATION** - The application will be accepted when the following information is filed with the Department of Resource Management.
 - a. Completed Petition for Cancellation of Land Conservation Contract signed by the owner(s) of record.
 - b. Completed Environmental Evaluation Questionnaire provided by the Department of Resource Management.
 - c. Cancellation of a portion of an agricultural preserve and land conservation contract requires submittal of a legal description of the property and a copy of the Assessor's Parcel Map delineating the property.
 - d. Filing Fee: Fee as set by the Board of Supervisors

The Application Filing Fee includes the cost of time and materials for Planning Services Division processing, reporting, public notice and hearing for this type of application. This fee does not include environmental review. **If time and materials needed to process your application exceed the application filing fee amount plus 100% of the fee amount, you will be billed for the additional costs incurred by the County.**

3. **PUBLIC NOTICE** - Two advertised public hearings are required for each cancellation petition, one by the Planning Commission and one by the Board of Supervisors. At least ten (10) days prior to each hearing, the Department of Resource Management will provide written notice by first class mail to the applicant and owners of property located within 500 feet of the property involved. Notice will also be published in a newspaper of general circulation or posted in the vicinity of the project location. This public notice is to inform the public of their right to appear and be heard on the matter.
4. **PUBLIC HEARING** - The owner or his representative should be present at the public hearings. If he is unable to attend, he may request a continuance in writing. During the hearings before the Planning Commission and the Board of Supervisors, all interested persons will have the opportunity to speak in favor or in opposition to granting the cancellation petition. Persons speaking will usually

be asked their interest in the petition and other pertinent questions deemed necessary in determining approval or denial of the cancellation petition. Normally, the applicant is invited to speak first.

5. **DECISION** - The Planning Commission holds a public hearing on the cancellation petition and adopts a resolution which is forwarded to the Board of Supervisors. The Assessor's Office determines a cancellation value and certifies it for the Board of Supervisors. The Board then determines a cancellation fee and certifies the amount to the Auditor. The Board of Supervisors then holds its public hearing on the cancellation petition. In order to approve a cancellation petition the Board of Supervisors must find that either:

- (1) cancellation is consistent with the purposes of the Williamson Act; or
- (2) cancellation is in the public interest.

Under (1) above the Board of Supervisors must make all of the following findings:

- a. That the cancellation is for land on which a notice of non-renewal has been served.
- b. That cancellation is not likely to result in the removal of adjacent lands from agricultural use.
- c. That cancellation is for an alternative use which is consistent with the applicable provisions of the County General Plan.
- d. That cancellation will not result in discontinuous patterns urban development.
- e. That there is no proximate noncontracted land which is both available and suitable for the use to which it is proposed the contracted land be put, or that development of the contracted land would provide more contiguous patterns of urban development than development of proximate non-contracted land.

Under (2) above (cancellation is in the public interest) the Board of Supervisors must specifically find:

- a. That other public concerns substantially outweigh the objectives of the Williamson Act.
- b. That there is no proximate non-contracted land which is both available and suitable for the use to which it is proposed the contract land should be put, or, that development of the contracted land would provide more contiguous patterns of urban development than development of proximate non-contracted land.

6. **PETITION GRANTED** - Upon tentative approval of a cancellation petition, several steps are required (Section 51283.3 and 51283.4) to complete the process which includes:

- a. The Clerk to the Board of Supervisors records a Certificate of Tentative Cancellation which contains at least: the name of the property owner, the amount of the cancellation fee as certified by the Board, any contingency of waiver, or deferment of its payment, conditions and contingencies and legal description of the property involved.
- b. The landowner notifies the Board when the conditions and contingencies enumerated in the certificate of tentative cancellation have been satisfied. Within thirty (30) days of receipt of such notice, and determination that conditions and contingencies have been satisfied, the Clerk to the Board shall record a Certificate of Cancellation of the contract.

APPENDIX D

SUPPLEMENT TO BUILDING PERMIT APPLICATION FOR INCIDENTAL STRUCTURES TO COMMERCIAL AGRICULTURE ON PROPERTIES UNDER LAND CONSERVATION (Williamson Act) CONTRACTS

Building Permit Number: _____ Zoning District: _____

Assessor Parcel Number(s): _____

Land Conservation Contract No.: _____

The subject property is under a Land Conservation (Williamson Act) Contract. Under the contract provisions, the subject parcel shall not be used for any purposes other than “an agricultural use” and “open space use” as provided in Section 51205 of the Government Code or uses compatible with “agricultural use” as defined in the Land Conservation Act (Williamson Act) of 1965 and the “Solano County Uniform Rules and Procedures Governing Agricultural Preserves and Land Conservation Contracts” adopted by the Solano County Board of Supervisors.

Please provide the following information in support and as part of your application for a Building Permit for either a residential structure or agricultural structure on the subject property. First check the applicable use, residential structure or agricultural structure. Second, provide a brief explanation of the applicable circumstances.

Residential Structure (Check applicable use if residential structure)

_____ Single family dwelling (A¹), one-family dwelling or manufactured dwelling (AL², W³, MP⁴) (Primary residence)

_____ Accessory Dwelling Unit (A¹) or Secondary Living Unit (AL²)

A residence must be incidental to the commercial agriculture use of the property. To be incidental to commercial agriculture, the residential structure must be for person(s) engaged in the commercial agricultural operations including the property owner, agriculturalist (property owner or lessee), or agricultural employee and their families as defined in the “Solano County Uniform Rules and Procedures Governing Agricultural Preserves and Land Conservation Contracts”.

Briefly describe the applicable circumstances:

Agricultural Structure (check if agricultural structure)

_____ Agricultural Accessory Structures (A¹) or Buildings and uses clearly accessory or incidental to any permitted use located on the premises including, barns sheds and other farm buildings (AL², W³, MP⁴)

Briefly describe the proposed use of the agricultural structure and how it supports the commercial agricultural use of the subject property:

ACKNOWLEDGEMENTS

I (We) hereby acknowledge notice that the Land Conservation Contract and “Solano County Uniform Rules and Procedures Governing Agricultural Preserves and Land Conservation Contracts” restricts the proposed structure to uses compatible and incidental to the commercial agricultural use of the property.

I (We) further acknowledge notice that if the proposed structure is later found not to be compatible or incidental to the commercial agriculture use of the property resulting in a material breach to the Land Conservation Contract, the property owner may be subject to fines for up to 25 percent of the unrestricted fair market value of the land rendered incompatible by the breach of contract, plus 25 percent of the value of the incompatible building and any related improvements on the contracted land.

I (We) certify under penalty of perjury that the information provided above, is true and correct.

Signature of Property Owner(s) of Record	Date and Place
_____	_____
_____	_____
_____	_____
_____	_____

¹ (A) Uses allowed under the Exclusive Agricultural Zoning District
² (AL) Uses allowed under the Limited Agricultural Zoning District
³ (W) Uses allowed under the Watershed and Conservation Zoning District
⁴ (MP) Uses allowed under the Marsh Preservation Zoning District

Appendix E

Monitoring Procedures for Land Conservation Contracts

In order to ensure compliance with the provisions of a Land Conservation Contract, the Department of Resource Management may initiate a review of a contract under the following circumstances:

- Application for Building Permit
- Application for Use Permit
- Citizen's/Code Violation complaint
- Notice from the State Department of Conservation (Gov. Code Section 51250(c))

Building Permits and Use Permits

As part of a building permit or use permit application Resource Management may request that the property owner(s) provide documentation that the property is under commercial agricultural use or maintained in open space or recreational use as defined in the Solano County Uniform Rules and Procedures Governing Agricultural Preserves and Land Conservation Contracts.

Citizen's or Code Violation Complaints and Notice from the State Department of Conservation

In response to a citizen's complaint, alleged code violation, or notice from the State Department of Conservation, Resource Management may conduct an initial inspection of the property. As part of the investigation, Resource Management may request that the property owner(s): 1) provide documentation that the property is under commercial agricultural use or maintained in open space or recreational use as defined in the Solano County Uniform Rules and Procedures Governing Agricultural Preserves and Land Conservation Contracts and/or 2) provide documentation explaining the facts and circumstances related to a possible non-compatible use.

Notice of Potential Breach of Contract

If commercial agricultural activity is not evident and the property does not meet the requirements for open space and recreational use, or non-compatible uses have been established, Resource Management shall issue a "Notice of Potential Breach of Contract" requesting the property owner(s) provide documentation that the property is in commercial agricultural as defined in the Solano County Uniform Rules and Procedures Governing Agricultural Preserves and Land Conservation Contracts. The property owner(s) shall have 60 days to provide the documentation.

If a non-compatible use has been established contrary to the compatible uses established in the Solano County Uniform Rules and Procedures Governing Agricultural Preserves and Land Conservation Contracts, Resource Management shall issue "Notice of Potential Breach of Contract" to the property owner(s) and to State Department of Conservation for building or buildings greater than 2500 sq. ft. within 10 days of determining that a breach of contract is likely to exist. A property owner(s) shall have 60 days to abate the non-compatible use.

The "Notice of Potential Breach of Contract" shall include the reasons for the determination and a copy of the contract.

Board of Supervisors Hearing

If after 60 days the property owner(s) has not provided documentation the property is under commercial agricultural use or the non-compatible use has not been abated, the land conservation contract shall be scheduled for public hearing before the Board of Supervisors no more that 120 days after the "Notice of Potential Breach of Contract" was issued.

Resource Management shall give notice of the public hearing by certified mail, return receipt requested, to the property owner(s) at least 30 days prior to the hearing. If potential breach of contract is for a non-compatible use, notice shall also be provided to the State Department of Conservation for building or buildings greater that 2500 sq. ft.

Resource Management shall also give notice by first class mail to all property owners under contract within one mile of the exterior boundary of the contracted land on which the likely breach exists. A notice of the hearing shall also be published pursuant to Government Code Section 6061, including the date, time and place of the public hearing.

The Board of Supervisors shall consider any oral or written testimony presented at the public hearing.

Board of Supervisors Determinations

If the Board of Supervisors finds that the property is not under commercial agricultural use, the Board shall authorize the Chair to execute a Notice of Non-renewal on the subject property and authorize the Clerk to the Board to record said document.

If the Board of Supervisors finds that a breach of contract exists for a non-compatible use, the Board shall either:

1. Order the property owner(s) to eliminate the conditions that resulted in the breach of contract within 60 days.

2. Authorize the Chair to execute a Notice or Non-renewal on the subject property and authorize the Clerk to the Board to record said document.
3. For non-compatible uses with building or buildings that exceed 2500 sq. ft., assess the monetary penalty pursuant to Government Code Section 51250 (j) and terminate the contract on that portion of the contracted parcel that has been made incompatible by the breach of contract.

SOLANO COUNTY PLANNING COMMISSION

RESOLUTION NO. XX

WHEREAS, the Solano County Planning Commission has considered Use Permit Application No. U-18-04 of **Ted and Jeri Seifert (The Timbers-Silveyville Christmas Tree and Pumpkin Farm)** for an existing Christmas tree and pumpkin farm with concessions, gift shop and amusement activities, with the addition of a proposed event venue consisting of a 3,000 square foot building and adjacent park. The property is located at 6224 Silveyville Road, northwest of the City of Dixon in the Exclusive Agricultural "A-40" Zoning District, APN's: 0108-090-130 and 140, 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 December 6, 2018 which was continued to April 18, June 20 and July 18, 2019, and;

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

- 1. That the establishment, maintenance or operation of the use or building is in conformity to the General Plan for the County with regard to traffic circulation, population densities and distribution, and other aspects of the General Plan considered by the Zoning Administrator to be pertinent.**

This project is located within an area designated as Agriculture by the Solano County General Plan Land Use Diagram. The proposed use is a conditionally permitted use within the Exclusive Agricultural (A-40) District. The proposed temporary agritourism uses are consistent with the General Plan. The property is developed with agricultural and residential structures as well as significant areas planted in trees and seasonal crops.

- 2. Adequate utilities, access roads, drainage and other necessary facilities have been or are being provided.**

The site does not have utilities for permanent development. The proposed use is a temporary event for up to 45 days. All necessary services will be brought onto the site on a temporary basis for 45 days and then removed. A traffic control plan will be in place to ensure that traffic congestion during an event is minimized.

- 3. The subject use will not, under the circumstances of this particular case, constitute a nuisance or be detrimental to the health, safety, peace, morals, comfort or general welfare of persons residing or working in or passing through the neighborhood of such proposed use or be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the County.**

As conditioned, the proposed seasonal sales lot with amusements and entertainment uses will not constitute a nuisance to surrounding properties, nor will it be detrimental to the health, safety, or welfare of County residents. A traffic and parking management plan will be in place to ensure that traffic congestion during an event is minimized.

ADDITIONAL FINDINGS

- 4. The project qualifies for a Class I Categorical Exemption from the California Environmental Quality Act pursuant to CEQA Guidelines Section 15304, Minor Alterations to Land.**

BE IT, THEREFORE, RESOLVED, that the Planning Commission of the County of Solano does hereby adopt the mandatory and suggested findings, and approve Use Permit No. U-18-04, subject to the following recommended conditions of approval.

GENERAL PROVISIONS

Administrative Conditions of Approval

1. **Approved Uses.** The proposed use shall be established in accord with the application and site plan for Use Permit U-18-04, submitted June 29, 2018 and as amended by the permittees, Ted and Jeri Seifert., and as described and conditioned herein. In the event of any conflict between the application materials and the project description or conditions set forth in this permit, the latter shall control.
2. **Permit Term.** The permit is issued for an indefinite term, commencing on July 29, 2019 and subject to renewal as provided below.
3. **Renewal.** The use permit is subject to renewal pursuant to Section 28.106(N) of the Solano County Code. Application for renewal must be filed prior to the 5-year anniversary date of the initial approval or the most recent renewal approval date.
4. **Final Plan.** Within 30 days of approval of the use permit, the permittee shall submit a final development plan portraying the project as approved.

Limitations of the Permit

5. **Minor Revisions.** No additional uses shall be established beyond those identified on the final development plan without prior approval of a revision or amendment to the use permit. No new or expanded buildings shall be constructed without prior approval of a minor revision to this use permit or approval of a new use permit.
6. **Indemnification.** By acceptance of this permit, the permittee and its successors in interest agree that the County of Solano, its officers and employees shall not be responsible for injuries to property or person arising from the issuance or exercise of this permit. The permittee shall defend, indemnify and hold harmless the County of Solano, its officers and employees from all claims, liabilities, losses, or legal actions arising from any such injuries. The permittee shall reimburse the County for all legal costs and attorney's fees related to litigation based on the issuance of and/or interpretation of this permit. This agreement is a covenant that runs with the land and shall be binding on all successors in interest of the permittee.
7. **Exercise of Permit.** The use permit shall expire and thereafter be null and void, without further action by the County, if it is not exercised by close of business on September 30, 2019. The use permit shall not be considered exercised until all building, public works and environmental health permits required for the use have been issued.
8. **Initial Inspection Prior to Commencement of Activities.** Prior to the commencement of activities under this use permit or the admission of the public to the site, the permittee shall be present on site for an inspection of the premises by the Department of Resource Management

and other agencies with jurisdiction, in order to determine if all prerequisite conditions and requirements have been met. Commencement of activities authorized under this permit shall not begin until the Director of Resource Management (Director) determines that the permittee is in compliance with the necessary prerequisite conditions of approval.

9. **Subsequent Inspections.** If additional inspections are required before the Director determines the permittee is in compliance with the use permit, the permittee shall be charged inspection fees based on the adopted rate established by the Board for hourly work by the Department.
10. **Failure to Comply.** Failure to comply with any of the conditions of approval or limitation set forth in this permit shall be cause for the revocation of the use permit and cessation of the permitted uses at the Permittee's expense.

SITE AND FACILITY CONDITIONS AND IMPROVEMENTS

11. **Occupancy.** The site shall be limited to a maximum occupancy of 1,200 persons, with 200 at the Timbers and up to 1,000 at the Pumpkin Farm and Christmas Tree Farm.
12. **Access.** The site shall provide and maintain two twenty-foot minimum width all-weather surface driveway connections to a public road.
13. **Kitchen Facilities.** No kitchen facility may be used unless it is permitted as a food facility by the Environmental Health Division.
14. **Exterior Lighting.** Lighting capable of providing adequate illumination for security and safety shall be provided. . Lighting shall be downcast and/or directed away from adjacent properties and public rights-of-way to prevent offensive light or glare.
15. **Sanitation.** Permittee must provide approved sanitation facilities of adequate capacity that are accessible to attendees and food vendors including restrooms, refuse disposal receptacles, potable water and wastewater facilities.
16. **Parking.** The parking area identified on the final development plan shall provide adequate parking space for at least 300 vehicles; parking areas and driveways shall be treated as necessary to control dust. Parking areas shall not be located any closer than 50 feet to an adjoining property. Parking shall be located in an open area with a slope of 10 percent or less.
17. **Parking on the road.** No parking shall be allowed within any road right-of-way for 1,000 feet in either direction of any access point or access located on the site. The permittee shall place signs along the interior access ways and at 300-foot intervals along the road right-of-way indicating the parking restriction. These signs shall be posted no earlier than the day before the event and shall be removed no later than the day following the event.
18. **Use of Existing Structures.** The use of existing permanent structures temporarily during events are limited to existing structures that are permitted for commercial and public assembly occupancy and are in compliance with the Americans with Disabilities Act (ADA) where applicable. Any interior remodeling of an existing structure is limited to that needed to meet building occupancy and ADA requirements without expansion of the footprint.
19. **Use of Temporary Structures.** The use of temporary structures during events are limited to structures that are permitted for commercial and public assembly occupancy and are in compliance with ADA where applicable. This requirement may be waived through an adjustment (Section 22.70.030) when the applicable fire agency verifies in writing that the

proposed structure is adequate for safe egress and all other fire safety concerns have been addressed.

20. **New Permanent Structures.** Event activities may only be allowed in new structures if approved through a Conditional Use Permit.

OPERATIONAL AND PERFORMANCE STANDARDS

21. **Prevent Offensive Noise, Dust, Glare, Vibration or Odor.** All uses of land and buildings shall be conducted in a manner, and provide adequate controls and operational management to prevent:

Dust, glare, vibration which are detectable beyond any property line, and Noise that exceeds 65dBA LDN at any property line.

22. **Prevent Storm Water Pollution.** Any use of land or buildings shall contain measures to manage storm water to prevent any potential contaminants, processing wastes or by-products from entering any natural or constructed storm water facility or canal, creek, lake, pond, stream or river

23. **Solid Waste and General Liquid Waste Storage and Disposal.**

- a. All uses are prohibited from discharging liquid, solid, toxic, or hazardous wastes onto or into the ground and into streams, lakes, or rivers except as allowed by applicable local, State and federal laws and regulations.
- b. The handling and storage of hazardous materials, the discharge of hazardous materials into the air and water, and the disposal of hazardous waste in connection with all uses shall be in conformance with all applicable local, State and federal regulations.
- c. All burning of waste materials accessory to any use shall comply with the Yolo-Solano Air Quality Management District or the San Francisco Bay Area Air Quality Management district based on geographic location of the activity specific to each air quality management district.
- d. The disposal or dumping of solid wastes accessory to any use, including, but not limited to, slag, paper and fiber wastes or other industrial wastes, shall be in compliance with applicable local, State, and federal laws and regulations.

24. **Food Vendors.** Permittee is responsible for ensuring event organizer and food vendors secure food permits with the Division of Environmental Health.

25. **Operational Controls.** Shall show that adequate controls or measures will be taken to prevent offensive noise, light or vibration.

26. **Incidental Retail Uses.** Temporary agritourism uses of land, buildings or structures may include incidental retail uses customarily found at such establishments.

27. **Nuisance Controls.** Permittee shall show that adequate measures and controls shall be taken to prevent offensive glare, noise, odors and dust from impacting abutting uses or facilities.

28. **Hours of Operation.** The hours of operation for special events at the Timbers are from 9:00 a.m. - 10:00 p.m. Facility set up and clean up shall be allowed between the hours of 7:30 a.m. to 10 p.m. All guests of an event shall be off the property by 10:00 p.m.

The hours of operation for the Pumpkin Farm are from 10:00 a.m. - 06:00 p.m.

The hours of operation for Christmas Tree Farm are from 9:00 a.m. - 7:00 p.m. several days of the week as determined by the applicant, and 9:00 a.m. to 5 p.m. for the remainder days.

29. **Site Appearance.** The premises shall be maintained in a neat and orderly manner and kept free of accumulated debris or junk.
30. **Event Management Plan.** No later than March 31st of each year, the permittee shall submit an Event Management Plan which shall identify measures, procedures and operational controls to address the operational and performance standards imposed by this permit, including the following categories:
31. **Nuisance Control.** Identify measures and controls to manage potential nuisances such as fugitive dust, noise, light, glare and odor. Nuisance Controls shall include the following provisions:
 - 1) Direct lighting used for illumination of spaces for clean-up of work (as opposed to highlight lighting such as strands of Led lights suspended overhead) shall be shielded downward or oriented such that it does not radiate light directly in the western direction from the proposed site towards the residence located to the west
 - 2) That there shall at least a 5-foot-high permanent fence or gates on or near the western boundary of the property to prevent access on the adjoining residential property to the west.
 - 3) The project shall include features or requirements to avoid excessive and disturbing sound at the residence located to the west of the site. These features shall include:
 - a) Designating locations where speakers broadcasting amplified sound associated with music shall be allowed (the "Band Area")
 - b) Installing a sound barrier with noise absorbing material (this could be an acoustic fence or wall) that is located adjacent Band Area and designed to reduce the sound levels at the residence on the property to the west.
 - c) Retaining or planting a natural forest setting of Incense cedar or other trees to the west of the event center location and Band Area.
 - d) Enforcement by the permit holder that amplified sound shall cease at 10:00 PM.
32. **Traffic and Parking Management.** Identify measures and controls to manage traffic arriving and departing the site as well as controls to assure the efficient movement of vehicles in the parking areas. At a minimum, the plan shall include the placement of "No Parking" signs on Type II barricades on both sides of Silveyville Road along the entire property frontage. The applicant shall apply for, secure and abide by the conditions of an Encroachment Permit from Solano County Public Works for any traffic controls operations within the County rights-of-way including, but not limited to, "No Parking" barricades, traffic signs, and flagging. Solano County Public Works reserves the right to modify or revoke the Encroachment Permit when, in the opinion of the Director of Resource Management, the Traffic and Parking Management Plan is not functioning as intended and/or adversely affects other public or private roads or properties in the area.
33. **Food and Beverage Service.** Describe the types of food and beverage services available to the public and identify all necessary permits and licenses which must be obtained prior to conducting the event.
34. **Emergency Response Plan.** Identify measures and controls to manage any emergency which might reasonably arise during an event. Provide a list of emergency contacts for various responders to all staff and volunteers. Identify a central location on the property which will serve as an emergency center with communications and fire and first-aid equipment.
35. **Security.** The Timbers Event Center shall provide adequate onsite security personnel during the conduct of its events.

36. **Storm Water Management.** Identify measures and controls to manage storm water to prevent storm water pollution.
37. **Sanitation and Waste Management.** Identify measures and controls to manage all forms of liquid and solid waste on the site.
38. **Approval of the Event Management Plan.** The permittee shall not commence any uses of buildings or the land for events until the Director has approved the Event Management Plan.

ADDITIONAL PERMITS REQUIRED

Planning Division Permits

39. **Land Conservation Contract 52.** Permittee shall submit a Notice of Nonrenewal of Land Conservation Contract 52 for both APN's 0108-090-130 and 0108-090-140 upon approval of Use Permit No. U-18-04.

A sign permit for all existing or proposed signs shall be applied for and granted prior to the commencement of the use.

Building Division Conditions

40. Any new buildings and any site improvements shall be designed using the 2016 California Building Standards Codes including the mandatory measures found in the new 2016 California Green Building Code, Chapter(s) 1, 2, 3, 5, 6, 7, 8, and A5 for Voluntary Measures.
41. Prior to any construction or improvements taking place, a Building Permit Application shall first be submitted as per Section 105 of the 2016 California Building Code. **“Any owner or authorized agent who intends to construct, enlarge, alter, repair, move, demolish, or change the occupancy of a building or structure, or to erect, install, enlarge, alter, repair, remove, convert or replace any electrical, gas, mechanical or plumbing system, the installation of which is regulated by this code, or to cause any such work to be done, shall first make application to the building official and obtain the required permit.”**
42. Certificate of Occupancy “111.1 Use and Occupancy. No building shall be used or occupied, and no change in the existing occupancy classification of a building or structure or portion thereof shall be made until the building official has issued a certificate of occupancy therefore as provided herein.”
43. Plans and Specifications shall meet the requirements as per Section 107 of the 2016 California Building Code. **“Construction documents, statement of special inspections and other data shall be submitted in one or more sets with each permit application. The construction documents shall be prepared by a registered design professional where required by the statutes of the jurisdiction in which the project is to be constructed. Where special conditions exist, the building official is authorized to require additional construction documents to be prepared by a registered design professional.”** Electronic media documents are permitted when approved by the building official. Construction documents shall be of sufficient clarity to indicate the location, nature and extent of the work proposed and show in detail that it will conform to the provisions of this code and relevant laws, ordinances, rules and regulations, as determined by the building official.”
44. **Site Accessibility Requirements.** The site and all facilities shall meet all of the accessibility requirements found in Chapter 11B of the 2016 California Building Code. The designer is required to design for the most restrictive requirements between ADA Federal Law and the 2016 California Building Code. The Solano County Building Division will be reviewing the plans for the most restrictive requirements of the two. There shall be a complete site plan, drawn to

scale reflecting all site accessibility. The site shall be developed in a manner consistent with state and federal requirements for accessibility for disabled persons, including all parking area, aisles and paths of travel and structures. The permittee shall submit accessibility analysis prepared by a Certified Access Specialist (CAS). The analysis must state that the inspected structures and other site features meet both state and federal accessibility requirements or specify what corrections are necessary in order to comply. The permittee shall make any necessary corrections identified by the CAS analysis. All accessible paths of travel and parking areas shall be a hard-scaped surface as specified by the CAS specialist and shall meet all of the worst case requirements between Chapter 11B of the 2016 California Building Code and the ADA Federal Law.

Environmental Health Division Conditions

Conditions Applicable to the Christmas Tree and Pumpkin Sales Events

45. If the operations meet the definition of a food facility per the California Retail Food Code, an application and design plan submittal and approval for the food facility and for an onsite wastewater treatment system are required. Per the California Retail Food Code, permanent restrooms must be available (within 200 feet) for employees. Refuse containers and refuse removal shall be of sufficient size and location with the frequency of removal being adequate so as not to create any public nuisance regarding the accumulation of garbage and / or refuse at the event.

Please contact the Consumer Protection program of Resource Management at (707) 784-6765 for additional information.

The facility currently meets the definition of a State Small Water System (SSWS) and must obtain a permit (CCR Title 22 §64211) from Solano County and monitor the water supply per CCR Title 22 § 64212 and 64213 for constituents because there are at least 5, but less than 14, water service connections onsite. Contact the Technical program of Environmental Health at (707) 784-6765 for additional information.

46. The Silveyville Tree and Pumpkin sales area, if limited to 25 days within a 90-day period, may qualify as a Community Event and apply for a temporary event permit with the submission of applications for each location which will sell or give away food to the public. Please contact the Consumer Protection program of Resource Management at (707) 784-6765 for the application and guidance on your submission. A Temporary Food Facilities permit may not be issued to operate within a structure which does not meet all applicable building and fire standards. The use of portable toilets, from a vendor licensed with this office, is required if a "Community Event" finding is made to allow for the operations of the proposed activities for a time period not to exceed 25 days within a 90-day period.

Conditions Applicable to the Timbers Event Space

47. Events conducted at the Timbers Event Space are not community events. The Timbers has a maximum event size of 200 persons and the occupancy shall be restricted to that limit. The Timbers Event Space shall provide permanent parking and restroom facilities based upon that limitation.

The addition of the Timbers Event space will increase public attendance to the property and cause the property to exceed the threshold of serving water to 25 or more people for 60 or more days of the year. This shall require the facility to obtain and maintain a Public Water System permit from the Division of Drinking Water. The number of persons served includes residents, visitors, employees, and guests; the facility is advised that the water system will need to be designed for the maximum daily demand. Permits for public water systems are issued from the California Regional Water Quality Control Board, Drinking Water Division; the contact information for our regional engineer is: Marco Pacheco, Division of Drinking Water (510) 620-3474.

NOTE: Once the parcel has a PWS permit the system may be evaluated to determine if it no longer is required to maintain the SSWS permit.

48. The Timbers Event space will require an onsite wastewater treatment system (OWTS) that meets the standards of Solano County Code Ch. 6.4: Sewage Standards. The system sizing shall be based upon the anticipated amount and type of use at the event space.

Conditions Applicable to the Entire Site

49. The Hazardous Materials Section of Environmental Health shall verify if permit requirements are applicable to the project site. A Hazardous Material Business Plan (HMBP) is required when chemicals stored onsite meet or exceed 55 gallons liquid, 200 cubic feet of gas and/or 500 pounds of solid, potentially hazardous materials.

Dixon Fire Protection District

50. Plans submitted for building permit must meet all requirements of the Uniform Building and Fire Codes. Occupancies will be determined by the County Building Official for restrictions.
New buildings may require protection by an automatic fire sprinkler system. System plans must be submitted to the Dixon Fire Protection District for permit, plan review and field inspections.
51. Other Fire Protection Systems and Alarms may be required pending occupancy use.
52. Public events on-site may have special requirements.
53. Access Road and building approach must meet County and Fire Code Standards.
54. Occupant load and exits will be determined upon submission of plans for building permit.
55. The access road must meet all Solano County requirements for use as a commercial driveway. This may include adequate turning radius or approved turnarounds capable of supporting fire apparatus.
56. Any gate entrances shall be at least 16 ft. wide. If gate is locked, it will be required to be provided with approved fire department access devise.
57. Prior to issuance of building permits, all requirements of the Dixon Fire Protection District shall be met.

Public Works – Engineering Conditions

58. The Permittee shall apply for, secure and abide by the conditions of a grading permit prior to the construction of the private driveways and parking areas. Public Works Engineering will require the submittal of a drainage plan showing all offsite and onsite improvements necessary to manage storm water issues related to this development.
59. The Permittee shall apply for, secure and abide by the conditions of an encroachment permit for the existing private road connections to Silveyville Road. Traffic and parking management shall be required according to Condition 32, Traffic and Parking Management.

Other Agency Conditions of Approval

60. **Other Agencies.** Certain land uses are subject to laws and regulations administered by federal, state, regional and local agencies and may require additional licenses or permits, prior to conducting the land use. Prior to conducting any land use authorized under this Chapter, any other licenses or permits required by any other agency must be obtained.

I hereby certify that the foregoing resolution was adopted at the regular meeting of the Solano County Planning Commission on July 18, 2019 by the following vote:

AYES:	Commissioners	_____

NOES:	Commissioners	_____
EXCUSED:	Commissioners	_____

By: _____
Bill Emlen, Secretary





Agenda Submittal

Agenda #: 2 **Status:** PC-Regular
Type: PC-Document **Department:** Planning Commission
File #: PC 19-031 **Contact:** Nedzlene Ferrario, 784-6765
Agenda date: 7/18/2019 **Final action:**
Title: PUBLIC HEARING to consider a recommendation to the Board of Supervisors regarding incorporating policies relative to the Cache Slough region into the General Plan

Governing body: Planning Commission

District:

Attachments: [A - Draft Resolution.pdf](#)
[B - Draft Policies and background text.pdf](#)
[C - Chapter 4 Resources.pdf](#)
[D - Cache Slough Location and Ecosystem Restoration Projects.pdf](#)

Date	Ver.	Action By	Action	Result
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RECOMMENDATION:

1. Determine that the project qualifies for Section 15308 Class 8 Protection of the Environment, of the California Environmental Quality Act.
2. Recommend that the Board of Supervisors amend the General Plan and incorporate policies regarding Cache Slough, as drafted in the attachments.

EXECUTIVE SUMMARY:

On May 16, 2019, Planning staff presented an overview relative to the issues related to the potential land conversions in Cache Slough. Planning Commissioners requested that the item be brought back for further discussion and review. Staff is now bringing to the Commission, a specific set of General Plan text and policy, for consideration and recommendation to the Board of Supervisors.

ENVIRONMENTAL ANALYSIS:

The project qualifies for a Categorical Exemption pursuant to Section 15308 Class 8, Actions by Regulatory Agencies for the Protection of the Environment, of the California Environmental Quality Act. Section 15308 Class 8 consists of:

Actions taken by regulatory agencies, as authorized by state or local ordinance, to assure the maintenance, restoration, enhancement or protection of the environment where the regulatory process involves procedures for protection of the environment. Construction activities and relaxation of standards allowing environmental degradation is not included in this exemption.

The project consists of adoption of a policy framework to address potential agricultural land conversions in Cache Slough. Cache Slough is predominantly agriculture, adjacent to the Sacramento River and its tributaries, and the Yolo Bypass floodway. The proposed policies protect the existing agricultural environment

and the supporting infrastructure in order to ensure continued economic viability of the region in order to avoid conflicts of Solano County's vision for agriculture. Individual environmental effects due to construction activities will be evaluated on a project level or case by case basis.

DISCUSSION:

Background:

The current General Plan, adopted in 2008, acknowledges that significant State efforts such as the Delta Vision were underway for the strategic management of the Sacramento-San Joaquin Delta as a sustainable ecosystem to support the economic and environmental functions of the Delta. (page RS-23 of Resources Chapter, Exhibit C). Since then, State level planning efforts such as the Bay Delta Conservation Plan, the Delta Plan and creation of State agencies such as the Delta Stewardship Council, WaterFix and EcoRestore have been established with objectives on ensuring continued water supply, habitat restoration and funding mechanisms for regions in within the five counties (Solano, Yolo, Sacramento, Contra Costa and San Joaquin) in the Delta. The Delta Protection Act has been amended to include the Delta Plan which identifies the Cache Slough Region as one of the Priority Habitat Restoration Areas in the Delta Plan, adopted in 2013. The proposed General Plan amendment and policies is an update to address the State efforts affecting Cache Slough, and in particular, to ensure continued viability of agriculture in the region.

Land conversions from agriculture to habitat restoration or floodway raises numerous issues such as the protecting the economic viability of agriculture in Cache Slough, loss of Prime Farmland, lands use compatibility between wildlife and adjacent agriculture, nuisances, management and maintenance of the lands, impacts to the transportation network, water quality and supply, introduction of additional recreational usage such as fishing or boating and other water oriented uses, and property tax revenue implications due to the change from private landownership to public lands .

Several tidal wetland habitat restoration projects in the Cache Slough such as Prospect Island (1100 acres) and Lookout Slough (3400 acres), are currently in the environmental review phase of the permitting process, and Little Egbert (3500 acres) is anticipated in the near future. The project locations are shown on the location map (Exhibit D).

General Plan Amendment:

The proposed policies provide the policy framework for land conversions from agriculture to ecosystem restoration or floodways in the Cache Slough Region. The proposed framework establishes key land use policies to guide the decision making without diminishing the General Plan's vision of Solano County. The policies require development of a Cache Slough Protection and Management Plan, a Zoning Overlay and key policies which address sustaining the agricultural economy by enhancing agricultural operations, protecting the infrastructure and water supply, and reducing flood risks. The proposed policies are contained in Exhibit B. Following adoption of the General Plan amendment, Planning staff will bring forward the Cache Slough Zoning Overlay.

Under the current General Plan, the area is designated Agriculture with a Resource Conservation Overlay. There are several areas adjacent to the waterway designated Marsh. Changes to the existing General Plan land use designations are not proposed. The new policies are proposed to be added to the Resources Chapter of the General Plan under the Sacramento San Joaquin Delta Section because Cache Slough lies within the Delta boundary. The updated chapter is included as an attachment to the report (Exhibit C) and the area is depicted as Figure RS-3.1.

The proposed policies are specific to Cache Slough and the potential land use changes in the region and adjacent lands, however, are supplemental to the other goals and policies in the General Plan and are not intended to be exclusive or override other adopted policies in the General Plan. Consistency with the Land Use and Resource Management Plan by the Delta Protection Commission and Airport Land Use Commission is required prior to the Board of Supervisors action.

Consistency with General Plan:

Agriculture Chapter:

Agriculture is a predominant land use in the unincorporated Solano County and contributes significantly towards the economy. The following are the relevant goals for lands designated Agriculture which form the agricultural vision for Solano County.

AR.G-1: Recognize, value, and support the critical roles of all agricultural lands in the stability and economic well-being of the county.

AR.G-2: Preserve and protect the county's agricultural lands as irreplaceable resources for present and future generations.

AR.G-5: Reduce conflict between agricultural and nonagricultural uses in Agriculture-designated areas.

AR.G-6: Recognize, support, and sustain agricultural water resources for farmlands.

The proposed policies protect the economic viability for Cache Slough by requiring enhancements in agricultural infrastructure and minimizing impacts to agricultural operations by addressing improvements to water supply, drainage, levees and road network, retaining the water rights in Cache Slough and, reducing flood and seepage risks. Additional measures include regulatory protection from the incidental take of endangered species, reducing nuisances by early and frequent outreach to adjacent landowners and establishing Good Neighbor policies. Early formal consultation with the County is required to address the loss of farmland and consistency with General Plan policies. The proposed policies are consistent with the goals in the Agriculture chapter.

Resource Conservation Overlay:

Cache Slough is designated with a Resource Conservation Overlay. The Overlay protects areas of the County with special resource management needs and recognizes the presence of important natural resources in the County while maintaining validity of underlying land use designations. The overlay protects resources by (1) requiring study of potential effects if development is proposed in these locations and (2) providing mitigation to support urban development in cities. The Overlay recognizes that agriculture is the predominant land use in Cache Slough, with a focus on agricultural land sustainability.

The Resource Conservation Overlay designates areas of environmental value and protection by a habitat conservation planning (HCP) process. The Solano County Water Agency is developing the County's HCP and these areas are targets for development of mitigation banks of terrestrial species. The proposed General Plan amendment does not preclude the development of the HCP or mitigation banks within Cache Slough; however, establishes more specific policies to address the impacts of land conversions in Cache Slough.

Public Health and Safety Chapter:

The risk for flooding and levee failure in Cache Slough is high due to the low-lying elevations and liquefaction potential. As lands are converted, adjacent agricultural lands shall be protected to minimize the loss of life, property and the agricultural economy. The following are the applicable goals and policies in the Public Health and Safety Chapter.

HS.G-1: Minimize the potential for loss of life and property resulting from natural or human-caused hazards.

HS.P-6: Work with federal, state, and local agencies to improve flood control and drainage throughout the county.

HS.P-7: Require new development proposals in dam, canal, or levee inundation areas to consider risk from failure of these facilities and to include mitigations to bring this risk to a reasonable level.

HS.P-8: Work with responsible parties to ensure dams, levees, and canals throughout the county are properly maintained and/or improved.

HS.P-9: Preserve open space and agricultural areas that are subject to natural flooding and are not designated for future urban growth; prohibit permanent structures in a designated floodway where such structures could increase risks to human life or restrict the carrying capacity of the floodway.

HS.P-10: Ensure that flood management policies that minimize loss of life and property also balance with environmental health considerations of the floodplain and therefore do not cause further erosion, sedimentation, or water quality problems in the floodplain area.

The proposed policies require strengthening the levee system, preparation and funding of a flood protection plan specific to Cache Slough as the potential to create higher water levels, erosion and seepage risks due to wave actions. A water quality monitoring program is required to ensure no degradation of water quality for agriculture or municipal use. The proposed policies are consistent with the above goals.

Consistency with the Delta Plan:

Cache Slough is targeted as a Priority Conservation Area for land conversions to ecosystem, and subject to the coequal goals of the Delta Plan. The Delta Plan, administered by the Delta Stewardship Council, is the long-term sustainable management plan for the region, to advance the State's coequal goals for the Delta. According to the Delta Plan, the coequal goals means two goals of providing a more reliable water supply for California and protecting, restoring, and enhancing the Delta ecosystem. The coequal goals shall be achieved in a manner that protects and enhances the unique cultural, recreational, natural resource, and agricultural values of the Delta as an evolving place by achieving the following core strategies:

- A. Designate the Delta as a special place worthy of national and state attention;
- B. Plan to protect the Delta's lands and communities,
- C. Maintain Delta agriculture as a primary land use, a food source, a key economic sector, and a way of life;
- D. Encourage recreation and tourism that allow visitors to enjoy and appreciate the Delta and that contribute to its economy;
- E. Sustain a vital Delta economy that includes a mix of agriculture, tourism, recreation, related industries and business, and vital components of state and regional infrastructure; and
- F. Reduce flood and other risks to people, property and other interests in the Delta

The General Plan amendment is consistent with the Delta Plan's coequal goals in that the proposed policies provide guidance for the protection of the agricultural economy in Cache Slough and the local framework for conversion of lands to ecosystem or floodways.

Consistency with the Land Use and Resource Management Plan (2010):

Cache Slough is located within the Primary Zone of the Delta and the proposed policies are consistent with the Land Use and Resource Management Plan in that the policies promote and facilitate agriculture as the primary land use in the Delta, and addresses flood protection, recreational opportunity, habitat and water quality. Delta Protection Commission review and consistency finding is required prior to the Board of Supervisors action.

ATTACHMENTS:

Exhibit A - Draft Resolution

Exhibit B - Draft Policies and background text

Exhibit C - Chapter 4 Resources, (Proposed text and diagram begins on Page RS-32, Implementation policy on Page RS-37; Proposed text are colored green)

Exhibit D - Cache Slough Location & Ecosystem Restoration Projects

**SOLANO COUNTY PLANNING COMMISSION
RESOLUTION NO. XX**

WHEREAS, the Solano County Planning Commission, conducted a public hearing on May 16, 2019, and received an overview of the issues related to Cache Slough, and;

WHEREAS, the item was renoticed for July 18, 2019, for the Commission to consider amending the General Plan to incorporate background text and policies regarding Cache Slough, and;

WHEREAS, after due consideration, the Planning Commission finds that the policies are necessary to protect agriculture in the Cache Slough region and adjacent lands due to the competing objectives relative to ecosystem restoration, flood risk reduction and water supply.

BE IT, THEREFORE, RESOLVED, that the Planning Commission of the County of Solano does hereby determine that the proposal qualifies for Categorical Exemption pursuant to Section 15308 Class 8, of the California Environmental Quality Act and recommends that the Board of Supervisors APPROVE amending the General Plan to incorporate the text and policies in to the Resources Chapter of the General Plan as identified in Exhibit A:

I hereby certify that the foregoing resolution was adopted at the regular meeting of the Solano County Planning Commission on July 18, 2019, by the following vote:

AYES:	Commissioners	_____

NOES:	Commissioners	_____
EXCUSED:	Commissioners	_____

By: _____
Bill Emlen, Secretary

Text for the Resource Chapter: add following the Sacramento San Joaquin Delta policies on page RS-28 of the Resource Chapter.

The Cache Slough Region (Region) is located in the southeastern portion of Solano County and lies within the Sacramento-San Joaquin Delta boundary. The Region is within and adjacent to the Yolo Bypass Flood System, which provides flood relief to the Cities of Sacramento and West Sacramento and locally. The Sacramento Deepwater Ship Channel runs along the Region's eastern flank. The Region is approximately 65,586 acres or 102.5 square miles, in size, and has been in agricultural production since the late 1800s. The Region is of interest to public agencies, specifically for tidal habitat and other restoration due to its north Delta location, open space, appropriate elevations and other characteristics important for recovery of aquatic native species populations. However, restoration in the Region requires wholesale conversion of significant acreages of agricultural lands, presenting challenges to remaining agriculture due to the large scale of acreages involved, potential conflicts between land uses and disruption of the interconnected system of agricultural lands and the infrastructure that supports it. The County wants to ensure that conversion of lands to other uses is protective of and addresses the continuing economic vitality of agricultural lands. The Cache Slough Region contains prime agricultural soils, an abundant water supply with senior water rights, a good climate and proximity to markets, all of great value to existing agriculture in the Region..

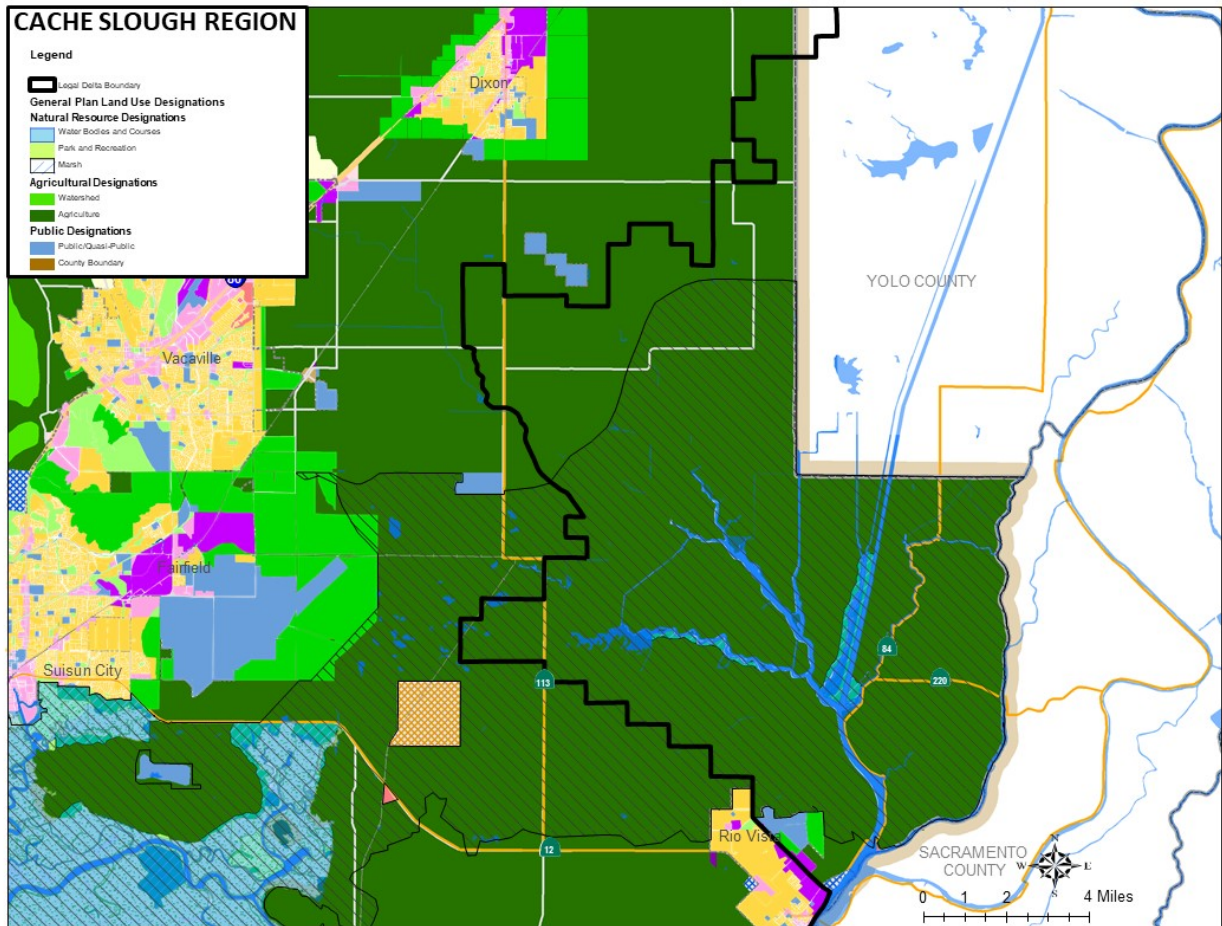


Figure RS-3.1 Cache Slough Region Land Use and Legal Delta Boundary

The following are policies, applicable to the Cache Slough Region and adjacent lands, to help guide decision making and which are consistent with the Goals and Objectives of the Agricultural, Resources and Public Health and Safety chapters of the General Plan.

Agriculture

RS.P-29.1: The conversion of agricultural lands to other land uses shall not diminish the economic viability of agriculture in the larger region. Measures to offset impacts may include enhancements to agricultural infrastructure and operations, water supply, drainage, and levees.

RS.P-29.2 Conversion of agricultural lands in Cache Slough shall not disrupt the road transportation network including access to remote locations, without improving other routes.

- RS.P-29.3 Where conversion of agricultural land for ecosystem restoration or flood risk reduction purposes occurs, measures incorporated into the project shall reduce local flood and seepage risks.
- RS.P-29.4 Regulatory or other assurances to protect agricultural operations from incidental take of protected species shall be provided.
- RS.P-29.5 Where possible, retain water rights from converted lands for the benefit of agricultural users in the County.
- RS.P-29.6 Reduce conflict between agricultural operations and non-agricultural activities by establishing Good Neighbor Policies and working with adjacent landowners and farmers to minimize impacts to agricultural operations.
- RS.P-29.7 Where conversion of agricultural lands is anticipated, early and frequent public outreach, ongoing engagement and collaboration shall include adjacent landowners, Reclamation Districts and affected public agencies.
- RS.P-29.8 Where agricultural lands are converted to non-agricultural land use, compensation for the loss of agriculture shall be 1.5 to 1 ratio (1.5 acres for 1 acre of loss), consistent with General Plan policy AG-I.1 (Agricultural Chapter). Compensation measures shall be discussed with the County during the formal consultation as specified in RS.P-29,9.

Ecosystem Restoration

- RS.P-29.9 State or Federal initiated ecosystem restoration proposals shall initiate a formal consultation early in the process with the County to ensure consistency with General Plan policies.
- RS.P-29.10 Ecosystem proposals shall provide multiple benefits, including flood risk reduction, protection of agriculture and other benefits.
- RS.P-29.11 Public recreational opportunities shall be provided, especially where there is access to the larger waterway system.
- RS.P-29.12 Establish buffer zones between land uses such as setbacks, wildlife friendly agriculture, land use transitions, barriers or other measures to minimize nuisance impacts to adjacent agriculture.

- RS.P-29.13 In areas where ecosystem activities is proposed, long term stewardship of the land must be addressed, including on-site management and on-going operations/maintenance along with appropriate funding.
- RS.P-29.14 Consistent project monitoring and adaptive management plans shall be prepared. Monitoring shall occur through an independent party to ensure the success of the restoration project.
- RS-P-29.15 Active revegetation with native species and control of non-native species is required within restoration lands.

Flood

- RS-P-29.16 Strengthen and maintain levees in the Yolo Bypass Flood Control System that protect the region and upstream urban areas from excessive flooding.
- RS-P29.17 Prepare and fund a flood protection plan specific to the Region to assure continued levee protection from Yolo Bypass ecosystem projects that create higher water levels, higher flood frequency and duration, wave action and erosion. The Plan should consider long-term O&M funding for the flood system.

Water Supply & Quality

- RS.P-29.18 Protect the quality and enhance the water supply infrastructure that sustains agricultural activities in the Cache Slough region.
- RS.P-29.19 An active water quality monitoring program is required to ensure there is no degradation of water quality for agriculture and municipal & industrial purposes in the region. Should there be a conflict among land uses, a Plan is required to address these conflicts.

Cache Slough Region Implementation Program

- RS.I-15.1 A Cache Slough Protection and Management Plan shall be developed between the County, State and Federal agencies, to address the transition of land uses in a comprehensive manner, with relevant agency oversight. Said plan should be implemented in a timely manner to ensure that

significant restoration activities do not occur prior to required agricultural sustainability measures, are put in place.

The County shall adopt an Overlay Zone for the Cache Slough Region that establishes detailed guidance for oversight of land use changes to help ensure compatibility among land uses, and to provide greater clarity in County expectations for the protection of agriculture in the context of ecosystem restoration projects.

Related Policies RS.P-29.1 to RS.P-29.19

Agency/Department Resource Management

Timing: 2 years

CHAPTER

4

RESOURCES

INTRODUCTION

Solano County's natural resources make it a great place to live or visit.



Solano Land Trust ©

Solano County lies at the intersection of numerous geographical and geological provinces that, together with variations in hydrology and climate, have resulted in the formation of unique and rare biological and ecological conditions and a rich diversity of native species and habitats. Solano County is home to both natural gas deposits and valuable wind resources. Its soils and water resources contribute to a rich agricultural landscape. Home to generations of people, Solano County contains both substantial historic and prehistoric sites. Preservation and sustainable use of these resources are vital to the continued benefit and enjoyment of both current and future generations. The residents of Solano County strive to act wisely as stewards of these natural resources; therefore, it is important that the General Plan's goals, policies, and programs reflect this commitment.

In 2007, the Citizens' Advisory Committee (CAC) created a vision to guide future conservation and development efforts in Solano County. The vision includes the following statements regarding the county's resources:

We will focus on creative and innovative solutions to meet both human needs and the needs of the natural environment. Our respect for human and environmental needs will guide our land use decisions and where development takes place... We will use our natural habitat, farmlands, and water resources to maintain separation among our cities and unincorporated communities...

Because we value the quality of our air, soil, water, and other finite natural resources, we will continue to enhance agricultural business and preserve agricultural lands and resources. We will support practices that use renewable and recycled resources and reduce energy consumption and pollution as much as possible...

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We will provide abundant and diverse recreation opportunities that are compatible with the natural environment yet provide our residents and visitors with an opportunity to enjoy nature...

By considering human and environmental needs equally, we can create a place where people may choose to live, work, and play within close proximity; a place where nature, farmlands, and water are valued...

This vision was used to develop the three major strategic directions within the Resources chapter of the General Plan:

- preserving the county's valued natural, cultural, and scenic resources;
- enhancing and restoring the natural environment and the county's diverse landscapes; and
- ensuring sustainable provision of energy, water, and mineral resources.

The chapter serves as a comprehensive policy and strategy guide, defining the County's path toward a sustainable future.

Purpose

The purpose of the Resources chapter is to identify the goals, policies, and implementation measures that will be used by the County in day-to-day decision making to protect natural, cultural, and open space resources. The chapter focuses on conserving, preserving, and enhancing these resources to ensure a high quality of life for current and future county residents.

Scope and Content

This chapter satisfies the state's requirement that all local government general plans include a Conservation Element and an Open Space Element. The California Government Code requires a Conservation Element for the conservation, development, and use of natural resources, including water and its hydraulic force, forests, soils, rivers and other waters, harbors, fisheries, wildlife, minerals and other natural resources. Specifically, this chapter provides policies and programs to fulfill the following Conservation Element topics:

- protecting or improving water quality,
- preserving wetlands, including jurisdictional wetlands and saltwater and freshwater marshes consistent with federal and state requirements,
- protecting and developing in watersheds and aquifer recharge areas,

- conserving riparian vegetation,
- protecting special status species and their habitats,
- protecting wildlife movement corridors,
- conserving oak woodlands,
- promoting energy conservation and renewable energy, and
- implementing water conservation programs.

Remaining Conservation Element requirements are addressed in the Land use, Public Health and Safety, Agriculture, and Park and Recreation chapters.

The Open Space Element is used to manage all open space areas, including undeveloped wilderness lands and outdoor recreation uses. The California Government Code defines that open space should be preserved for the preservation of natural resources, managed production of resources, recreation, and public health and safety. Specifically, this chapter provides policies and programs to fulfill the following Open Space Element topics:

- preserving and creating community separator areas and protecting existing agricultural, open space, and recreational resources;
- protecting archaeological sites and historically or culturally important sites;
- protecting, improving, developing, and maintaining recreational trails and related facilities;
- integrating local trails with regional trail systems; and
- protecting local scenic highway corridors.

Remaining Open Space Element requirements are addressed within the Public Health and Safety, Agriculture, and Park and Recreation chapters.

This Resources chapter has three sections consisting of this introduction; the County's goals for protecting and sustainably using resources; and the context, policies, and implementation measures for each resource topic. Topics addressed in this chapter are:

- biological resources,
- marsh and delta areas,
- minerals,
- scenic resources,

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- cultural resources,
- recreational resources,
- energy resources,
- community separators, and
- water resources and quality.

Relationship to Other General Plan Chapters

State planning law requires general plans to be internally consistent, meaning that statements in one section are in agreement with all other portions of the plan. The Resources chapter contains goals, policies, and programs closely related to those contained in the Land Use, Agriculture, and Public Health and Safety chapters. However, this chapter differs by being almost exclusively oriented toward natural resources.

The Land Use chapter defines a planned land use pattern, identifying natural resource, agricultural, residential, commercial, industrial, public use, special purpose, and overlay designations. Public and private lands intended for conservation, open space, and recreational purposes are identified on the Land Use Diagram using the Water Bodies and Courses, Park and Recreation, Marsh, Watershed, Agriculture, and Public/Quasi-Public land use designations. The Land Use chapter and diagram also present three overlay designations intended to further preservation of one or more resources, including a Resource Conservation Overlay to conserve biological resources, an Agricultural Reserve Overlay to promote consolidation of agricultural conservation easements and mitigation lands, a Tri-City and County Cooperative Planning area to promote conservation of open space resources, and the Vacaville-Fairfield-Solano Greenbelt to identify protected open space.

The Agriculture chapter provides goals and policies to protect the county's farmland resources. Many similarities exist between the policies in the Resources chapter and the Agriculture chapter, including policies regarding urban-agricultural buffers created to reduce conflict between adjacent land uses and community separators used to reinforce individual identity and physical separation of communities.

The Public Facilities and Services chapter addresses supply and use of resources and essential services, whereas the Resources chapter addresses their preservation and conservation. Water facilities and service and water resources and quality are closely linked. Policies in this chapter protect the water resources that are the foundation of a public water system. Energy resources and utilities are also closely related. The Resources chapter discusses energy resources within the county and various means of energy generation and conservation, whereas energy infrastructure and supply are discussed in the Public Facilities and Services chapter.

The Public Health and Safety chapter identifies hazard-prone areas such as floodplains and seismic and geologic hazard areas. Many of these areas also contain valued resources. For example, floodplains present a hazard to human lives and structures but often contain valued habitat for diverse species. Many areas in the western hills are unsuitable for development because of steep slopes and wildfire hazards, but are valuable scenic, habitat, and agricultural resources. This chapter will address the preservation and development of resources while the Public Health and Safety chapter policies are targeted at protecting people from the hazards associated with the same areas. The goals and policies in each section target distinct issues, but are coordinated with other chapters to ensure optimal outcomes.

GOALS

The goals and accompanying policies describe outcomes consistent with the following strategic directions described within the introduction to this chapter:

- preserving of the county’s valued natural, cultural, and scenic resources;
- enhancing and restoring the natural environment and the county’s diverse landscapes; and
- ensuring sustainable provision of energy, water, and mineral resources.

RS.G-1:	Manage and preserve the diverse land, water, and air resources of the county for the use and enrichment of the lives of present and future generations.
RS.G-2:	Ensure continued presence and viability of the county’s various natural resources.
RS.G-3:	Repair environmental degradation that has occurred, and seek an optimum balance between the economic and social benefits of the county’s natural resources.
RS.G-4:	Preserve, conserve, and enhance valuable open space lands that provide wildlife habitat; conserve natural and visual resources; convey cultural identity; and improve public safety.
RS.G-5:	Ensure availability of affordable energy supplies and require efficiency and conservation measures to minimize energy consumption.
RS.G-6:	Preserve the visual character and identity of communities by maintaining open space areas between them.

- RS.G-7: Ensure provision of an adequate, competitively priced and sustainable water supply and associated infrastructure to serve the needs of existing and future water users.
- RS.G-8: Achieve ongoing coordination between land use and water supply planning.
- RS.G-9: Protect, monitor, restore and enhance the quality of surface and groundwater resources to meet the needs of all beneficial uses.
- RS.G-10: Foster sound management of the land and water resources in Solano County's watersheds to minimize erosion and protect water quality using best management practices and protect downstream waterways and wetlands.

BIOLOGICAL RESOURCES

Planning Context

This section addresses biological resources and the actions that the County can take to maintain, protect, and preserve these resources. Biological resources encompass a wide range of species and natural communities found in the county, and the habitats that support them.

The county's location at the intersection of the San Francisco Bay and the Sacramento-San Joaquin Delta (Delta) and its varied topography has created a variety of habitat types. Examples of valued habitat include extensive areas of marshland and wetlands along the Bay and Delta, forests of the Coast Range, and vernal pool complexes and riparian corridors found throughout the upland areas of the county. These habitat types support numerous species including rare or threatened animal and plant species such as the California red-legged frog, Callippe butterfly, giant garter snake, Swainson's hawk, fairy shrimp, California tiger salamander, and Boggs Lake hedge-hyssop.



Fairy shrimp are a threatened species found in vernal pool areas.

The biodiversity of Solano County is notable. Forty species found within the county have been identified as rare, threatened, or species of special concern. Urban development, agriculture, roadway construction, hydrological alterations, and invasive species have had profound effects on the structure, composition, and function of ecosystems. Policies and programs directing sustainable approaches to each of these are vital to the continued viability of the county's biological resources. Biological resources also provide clean water; reduce urban heat island effects; pollinate crops and native vegetation; and fulfill cultural, spiritual, or intellectual needs.

The Delta and surrounding areas are among the most diverse ecosystems in the world. Studies comparing species richness and rarity have identified the greater San Francisco Bay region as one of the five most valuable biological areas within the United States and one of the 25 most valuable regions in the world.

Solano County has remained relatively undeveloped, with large portions of the county remaining in agriculture and open space. Sizeable areas of habitat and wildlife movement corridors allow viable populations to persist. If protected, these lands could continue to play an important role in maintaining biodiversity and ecosystem processes. Incentive-based programs, mitigation banks, conservation easements, and other land use planning tools can enable the sustained protection and enhancement of these resources.

Oak-dominated habitats support a wide variety of wildlife species; over 300 species of birds, mammals, reptiles and amphibians depend on them at some time in their life cycle.



Solano County's oak woodlands are a resource of great biological and scenic value. Oak woodlands are areas that contain native oak trees of a certain size. The woodlands provide habitat for a wide range of animal and plant species. Additionally, they moderate air and water temperatures, reduce soil erosion, facilitate nutrient cycling, and sustain water quality. Unfortunately

human pressures such as development, firewood harvesting, and agricultural conversions and natural effects such as the lack of oak regeneration and Sudden Oak Death threaten oak woodlands in the county and throughout the state.

Heritage trees are scenic resources for the county's residents and visitors. They are generally defined by their size, native origin, or historical value. Although heritage trees tend to be larger native tree species, individual communities provide guidelines on how to identify such trees through a special ordinance. These trees provide a sense of place, increase the aesthetics of our communities and roadways, reduce energy costs associated with air conditioning, and increase private property values.

Related Plans, Programs, and Agencies

Many plans and programs enacted by federal, state, and local legislation relate directly to biological resources policies and programs. These plans and programs are administered by agencies with powers to enforce federal, state, and local laws.

Federal Endangered Species Act

The federal Endangered Species Act (ESA) protects certain animal and plant species. Under the ESA, species are put on lists and categorized as endangered, threatened, proposed, or candidate. Endangered species are those that are in imminent danger of extinction while threatened species are those likely to be in danger of extinction. The lists are

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maintained by, and protection of these species is enforced by, the United States Fish and Wildlife Service (USFWS). Actions that may result in "take" of a species are monitored and permitted by the USFWS. Take is broadly defined as an action that would "harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or attempt to engage in such conduct" listed species. Listed species are often called special-status species. Plants are not as heavily protected as animal species and are only protected when a take occurs on federal land or by federal action.

California Endangered Species Act

The California Endangered Species Act prohibits take of any species that the California Fish and Game Commission determines to be an endangered or threatened species. Federal and state lists of threatened and endangered species are generally similar; however, a species present on one list may be absent from the other. Regulations of the California Endangered Species Act are also somewhat different from the ESA in that the state regulations include threatened and endangered plants on nonfederal lands within the definition of take.

U.S. Fish and Wildlife Service and California Department of Fish and Game



Photo by USFWS

The tiger salamander tends to breed in semipermanent wetlands and is a threatened species in California, where its historic range is now fragmented.

Both USFWS and the California Department of Fish and Game (DFG) enforce regulations that

protect wildlife resources. Special permits are required for alteration, dredging, or any activity in a lake or stream, as well as other activities that may affect fish and game habitat. Both agencies also regulate impacts on sensitive plant and animal species as described above. Future development in Solano County that has the potential to affect wildlife habitat will be subject to the regulations of both of these federal and state agencies.

Oak Woodlands Conservation Act

California's Oak Woodlands Conservation Act acknowledges the importance of private land stewardship to the conservation of the state's valued oak woodlands. The act established the California Oak Woodlands Conservation Program, which aims to conserve oak woodlands existing in the state's working landscapes by providing education and incentives to private landowners. The program provides

technical and financial incentives to private landowners to protect and promote biologically functional oak woodlands.

Solano Multi-Species Habitat Conservation Plan

The Bureau of Reclamation, Solano County Water Agency (SCWA), and its eight member agency contracts, including the City of Vacaville, the City of Fairfield, Suisun City, the City of Vallejo, the Solano Irrigation District, and the Maine Prairie Water District, have agreed to implement conservation measures to ensure the protection of threatened and endangered

species and their habitat within the SCWA service area. The SCWA and member agencies developed the Solano Multi-Species Habitat Conservation Plan (HCP) for use within the Solano Project's contract service area and other participating areas of the county. The HCP is intended to support the issuance of an incidental take permit under the ESA for activities associated with future water use in these areas. HCP



Photo by USFWS

participants also intend to secure incidental take authorizations from DFG for state-listed species.

The HCP establishes a framework for complying with federal and state regulations for endangered species while accommodating future urban growth, development of infrastructure, and ongoing operations and maintenance activities associated with flood control, irrigation facilities, and other public infrastructure undertaken by or under the permitting authority/control of the HCP participants within the plan area. Covered activities under the HCP include development; irrigation district service area inclusions, expansions, and annexations; operation and maintenance activities of public facilities; recreation facilities and management; management, enhancement, habitat restoration/construction, monitoring, scientific collection, and associated compatible activities on designated reserves; mitigation sites/banks; open space lands and adjacent lands; and relocation of covered species.

The California red-legged frog is a threatened species in Solano County. A recovery plan focusing on the critical habitat areas was created by the USFWS.



Photo by USFWS

The data used within the General Plan to delineate habitat and natural communities are derived from the HCP. While the HCP identifies both

priority and nonpriority habitat areas, the General Plan considers only the priority habitat areas for conservation and preservation. These include the following:

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- California red-legged frog critical habitat and core recovery areas:** The recovery plan for the California red-legged frog published by USFWS designated portions of two recovery areas and critical habitats within Solano County. These consist of areas located in the hills west of Green Valley and the Tri-City and County Cooperative Planning Area and in the Lake Berryessa area located in the extreme northwestern corner of the County.

- Habitat for the Callippe butterfly, an endangered species, is found in the western portion of the county.



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terfly priority conservation areas: These consist of areas where the species is known to occur and additional areas that contain three habitat conditions necessary to support this species: Johnny Jump-up plants, adult nectar plants, and ridgelines or hilltop topography. The priority conservation areas are primarily located within the Tri-City and County Cooperative Planning Area east of Vallejo and Benicia.

- Giant garter snake priority conservation areas:**

These consist of areas in the eastern portion of the county that contain priority habitat for giant garter snake populations. The



© Eric Hansen

The snakes use dense aquatic vegetation in freshwater marshes, oxbows, and backwaters of creeks as their primary habitat, though they can also be found in and adjacent to irrigation canals that support cattails or bulrushes. Additionally, upland areas are necessary so that the snakes can escape during flood periods.

Giant garter snakes are found in the county's agricultural wetlands and other waterways. They are listed as a threatened species by the USFWS.

-



The Bogg's Lake hedge hyssop is listed as a *species of concern* by the USFWS and as *endangered* by the California Department of Fish and Game. It is found extensively across the Jepson Prairie growing in the clay deposits of vernal pools.

© 1986 California Native Plant Society

- **nal pool conservation areas:** These consist of areas within the county characterized by seasonal wetlands that form in soil that cannot absorb the water because of dense clays or pans below the surface. These are primarily located in the Jepson Prairie area east of Fairfield and north of Vacaville between the English Hills and Interstate 505.
- **Priority habitat corridors:** These consist of linear habitat areas that connect two or more larger blocks of habitat. These corridors are proposed to conserve the viability of target wildlife populations in the habitat blocks.
- **Suisun Marsh Protection Plan Primary Management Zone:** Development in the Suisun Marsh Protection Plan Primary Management Zone is restricted by the *Suisun Marsh Protection Plan* administered by the San Francisco Bay Conservation and Development Commission (BCDC) and DFG.

These habitat areas are mapped in Figure RS-1. The priority habitat areas were used to create the Resource Conservation Overlay shown in Figure RS-2 and discussed in the Land Use chapter. The overlay indicates general locations of priority habitat and provides both opportunities and restrictions regarding the use of the underlying properties. The HCP also identifies priority wildlife movement corridors; however, because the specific locations of the corridors are uncertain, the corridors were not included in the Resource Conservation Overlay. Wildlife corridors are linear habitat areas that maintain "connectivity" and allow for the movement of species between remaining priority habitat areas. Because habitat is fragmented throughout the county, these corridors are essential to the long-term survival of many of the target species. The County will determine the specific locations and boundaries of these corridors in the future. The corridors must provide contiguous blocks of habitat, large and complex enough to maintain connectivity for the target species and natural communities. The County will consider these corridors during project review.

Policies

-
- RS.P-1: Protect and enhance the county's natural habitats and diverse plant and animal communities, particularly occurrences of special-status species, wetlands, sensitive natural communities, and habitat connections.
- RS.P-2: Manage the habitat found in natural areas and ensure its ecological health and ability to sustain diverse flora and fauna.
- RS.P-3: Focus conservation and protection efforts on high-priority habitat areas depicted in Figure RS-1.
- RS.P-4: Together with property owners and federal and state agencies, identify feasible and economically viable methods of protecting and enhancing natural habitats and biological resources.
- RS.P-5: Protect and enhance wildlife movement corridors to ensure the health and long-term survival of local animal and plant populations. Preserve contiguous habitat areas to increase habitat value and to lower land management costs.
- RS.P-6: Protect oak woodlands and heritage trees and encourage the planting of native tree species in new developments and along road rights-of-way.

Implementation Programs

Regulations

-
- RS.I-1: Establish a resource mitigation overlay district within the Zoning Ordinance to site and permit mitigation banks. The ordinance should include incentives to focus mitigation banks within the Resource Conservation Overlay areas.

Related Policies: RS.P-1, RS.P-3

Agency/Department: Department of Resource Management

Funding Source: General Fund

Time Frame: By 2011

-
- RS.I-2: Use the Resource Conservation Overlay on the Land Use Diagram to identify areas of the county with high-priority needs for biological resource management. Areas covered by the Resource

Conservation Overlay are intended to provide options to establish mitigation banks for biological impacts generated outside the overlay district. Land use designations within the Resource Conservation Overlay are restricted to Agriculture, Marsh, Watershed, and Park and Recreation. The Resource Conservation Overlay shall be located within important biological or physical areas and habitats identified by the HCP and deemed suitable by the Solano County Board of Supervisors. Areas contained within the Resource Conservation Overlay include high-priority resources defined in Figure RS-1 or subsequent updates.

The Resource Conservation Overlay contains the following resources:

- California red-legged frog critical habitat and core recovery areas
- Callippe butterfly priority conservation areas
- Giant garter snake priority conservation areas
- Priority habitat corridors
- Vernal pool conservation areas
- *Suisun Marsh Protection Plan* primary management zone

Update the Zoning Ordinance to incorporate provisions of the Resource Conservation Overlay.

Related Policies: RS.P-1, RS.P-3

Agency/Department: Department of Resource Management

Funding Source: General Fund

Time Frame: Ongoing

RS.I-3: Develop and adopt an ordinance to protect oak woodlands as defined in Senate Bill (SB) 1334 and heritage oak trees.

Define heritage trees as the following: (a) trees with a trunk diameter of 15 inches or more measured at 54 inches above natural grade, (b) any oak tree native to California, with a diameter of 10 inches above natural grade, or (c) any tree or group of trees specifically designated by the County for protection because of its historical significance,

special character or community benefit. As regards heritage oak trees, this ordinance should include:

- rules regarding the removal, pruning, or disturbance of the critical root zone of a heritage tree;
- replacement ratio for healthy tree removal; and
- enforcement mechanisms for unlawful removal of trees.

As regards oak woodlands, the ordinance should include:

- lists of targeted tree species and age classes;
- guidance to minimize the fragmentation of oak woodlands and provide linkages and corridors between stands; and
- requirements for the preparation of oak woodland management plans, which will be required for all development, agricultural uses (including grazing), and timber/fire wood collection within the county's oak woodlands.

Related Policies: RS.P-1, RS.P-2, RS.P-6

Agency/Department: Department of Resource Management

Funding Source: General Fund

Time Frame: By 2011

RS.I-4: Develop a program and ordinance to allow voluntary transfers of development rights from a property or properties located within a targeted resource area to a property or properties within designated receiving areas (areas more appropriate for development) where similar resource conflicts would not occur. Transfers of development rights would be possible on a voluntary basis from any designated sending area within the Resource Conservation Overlay.

This program should be developed in coordination with similar programs in the Agriculture and Land Use chapters; Program AG.I-18 and Program SS.I-1.

Related Policies: RS.P-1, RS.P-3

Agency/Department: Department of Resource Management

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Funding Source: General Fund

Time Frame: Ongoing

Funding, Physical Improvements, and Capital Projects

RS.I-5: Develop a roadside tree program to plant and maintain native trees along road right-of-ways. Encourage private groups, nonprofits, and individuals to participate in native tree planting efforts through donations of time, trees, or funding.

Related Policy: RS.P-6

Agency/Department: Department of Resource Management

Funding Source: General Fund; Volunteers; Nonprofits

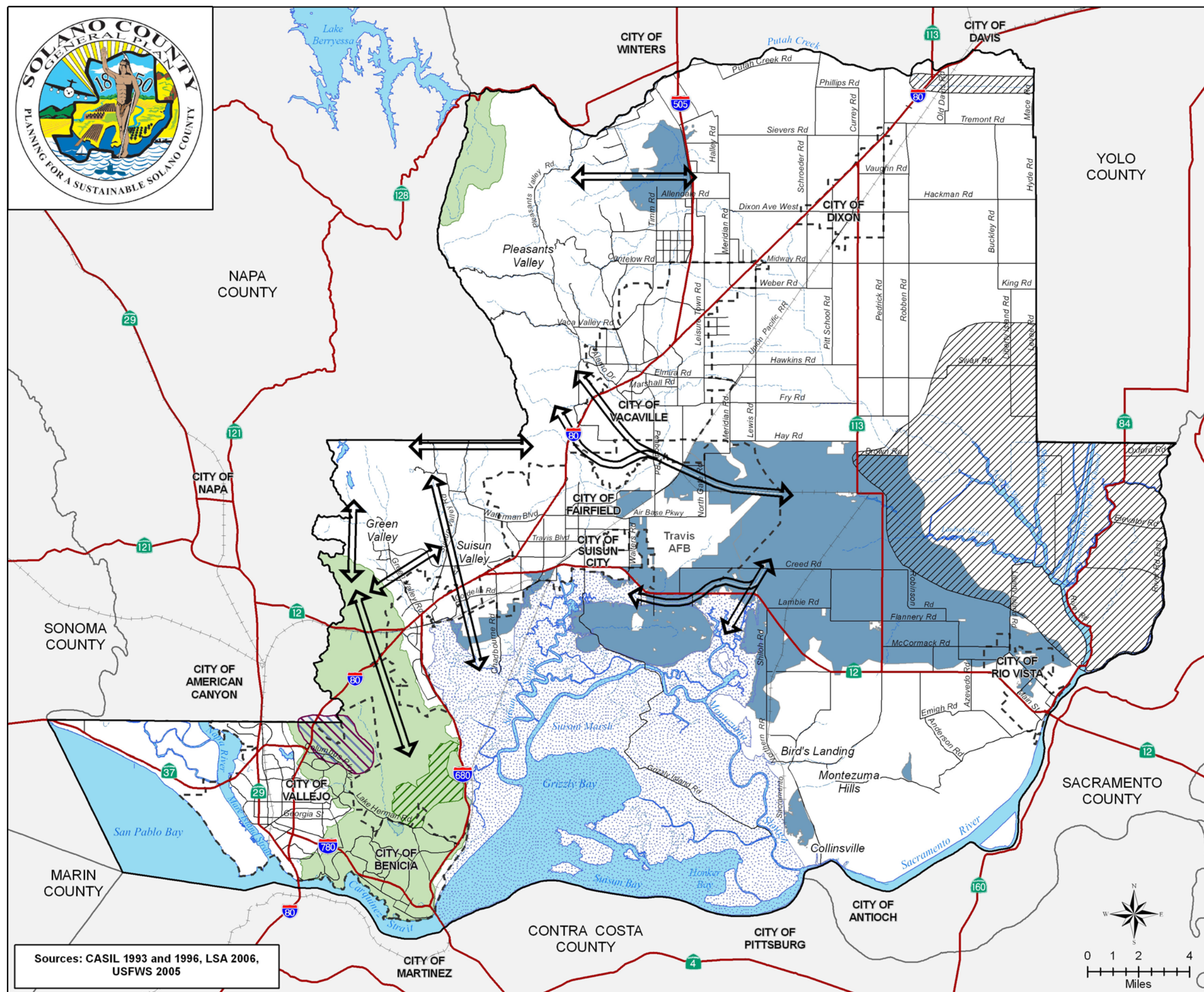
Time Frame: By 2011



Solano County General Plan

Figure RS-1

Priority Habitat Areas



Legend

- Corridors/Linkages
 - Suisun Marsh Protection Plan (April 1995) Primary Management Area
 - Giant Garter Snake Priority Conservation Area
 - Callippe Silverspot Butterfly Priority Conservation Area
 - High Value Vernal Pool Conservation Areas
 - California Red-legged Frog Final Critical Habitat (USFWS 2005)
 - California Red-legged Frog Core Recovery Area
- Basemap Layers
- Roadways
 - Highways
 - Railroads
 - Streams and Creeks
 - Major Water Features
 - Municipal Service Areas
 - Adjacent Counties

Sources: CASIL 1993 and 1996, LSA 2006, USFWS 2005



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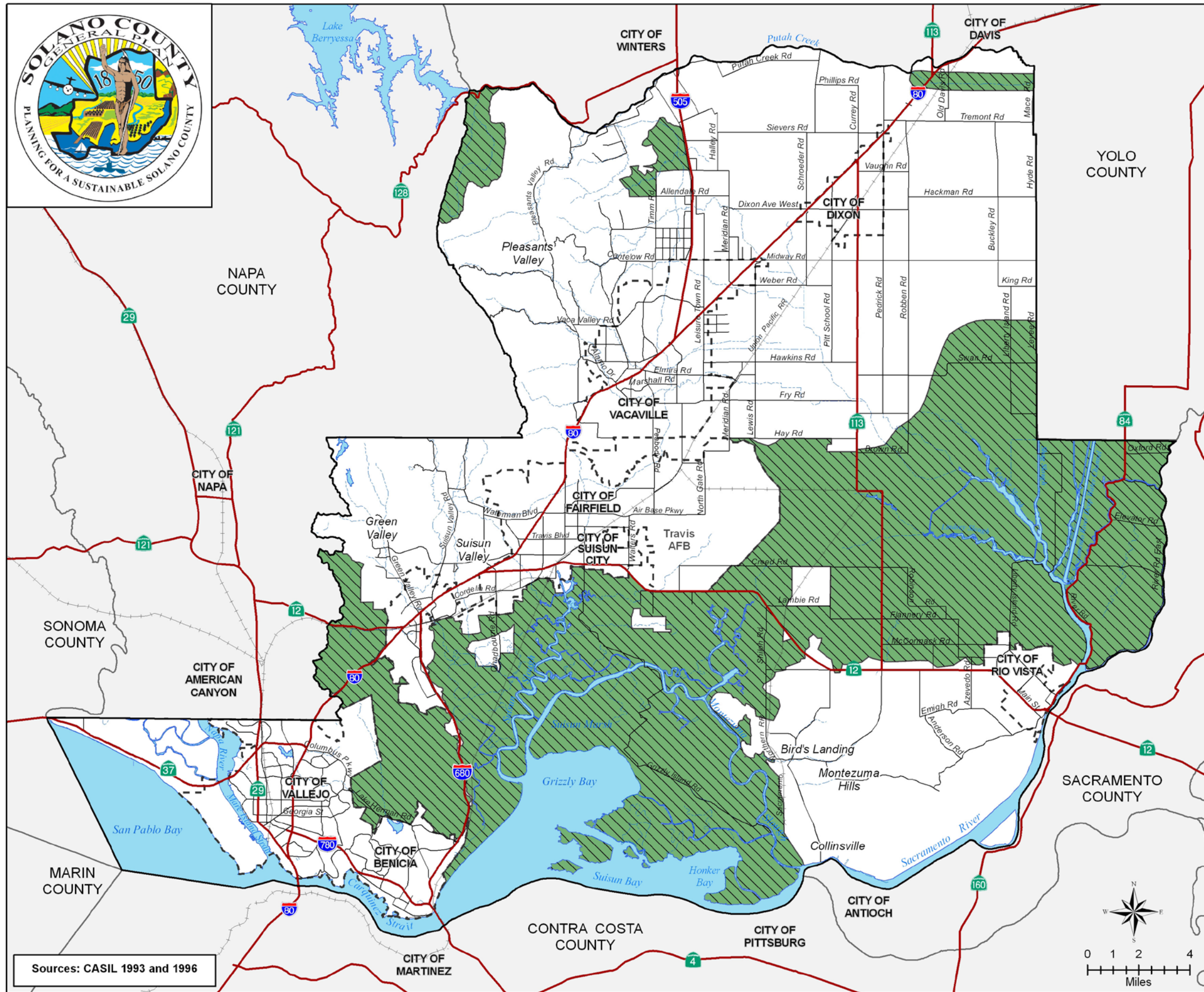
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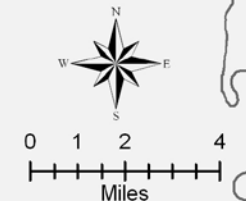
Figure RS-2

Resource Conservation Overlay



- Legend**
- Resource Conservation Overlay
 - Basemap Layers**
 - Roadways
 - Highways
 - Railroads
 - Streams and Creeks
 - Major Water Features
 - Municipal Service Areas
 - Adjacent Counties

Sources: CASIL 1993 and 1996



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Development Review

RS.I-6: Require all discretionary development proposals (with the exception of agricultural uses) within the Resource Conservation Overlay to submit an assessment that evaluates site conditions and potential project-related impacts on the targeted resource(s) of concern. The site assessment shall be prepared by a qualified professional approved by Solano County. The assessment shall be paid for by the applicant. The assessment will be used to (1) determine if the project will create negative impacts on the viability of the targeted resource and (2) determine the appropriate measures to avoid or mitigate such impacts.

Related Policies: RS.P-1, RS.P-3

Agency/Department: Department of Resource Management

Funding Source: Project Applicant

Time Frame: Ongoing

RS.I-7: Require certain findings by the Board of Supervisors to allow General Plan Amendments within the Resource Conservation Overlay that redesignate land from the Agriculture, Marsh, Watershed, or Park and Recreation designations to a use other than those listed above. To approve such redesignation, the Board of Supervisors must make one or more of the following findings:

- the site conditions (vegetation types, soils, topography) are not suitable as habitat for the target resource(s) identified in the Resource Conservation Overlay;
- the characteristics and size of the subject property make it unsuitable for conservation of the target resource; or
- no other lands with the requested land use classification are available for the proposed project.

Related Policies: RS.P-1, RS.P-3

Agency/Department: Department of Resource Management

Funding Source: General Fund

Time Frame: Ongoing

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RS.I-8: Require the planting of shade and roadside trees in development projects for aesthetic, air quality, and other associated benefits. Encourage the use of native tree species, especially native oaks. Create development standards to ensure appropriate placement, care, and maintenance. The County shall evaluate the feasibility of planting of roadside trees as part of major County road improvement projects.

Related Policy: RS.P-6

Agency/Department: Department of Resource Management

Funding Source: General Fund

Time Frame: Ongoing

Ongoing Planning Efforts, Public Outreach and Education

RS.I-9: Together with DFG, USFWS, Solano Water Agency and other agencies, determine and map critical wildlife movement and habitat corridors and riparian buffer areas. Ensure that the areas are sufficient in size to maintain landscape ecological functions and viable populations. Add the mapped critical corridors to the Resource Conservation Overlay.

Related Policy: RS.P-5

Agency/Department: Department of Resource Management

Funding Source: General Fund

Time Frame: Ongoing

Coordination with Other Agencies and Organizations

RS.I-10: Develop an agricultural riparian incentive program that encourages farmers and ranchers and other landowners to maintain or create riparian habitat along streams, creeks, canals, and wetlands. Collaborate with other agencies and organizations (Including, but not limited to Solano Land Trust, RCD, Department of Fish and Game, Central Valley Regional Water Quality Control Board (RWQCB), Farm Bureau, Bay Delta Authority, Ducks Unlimited, Sierra Club, Audubon Society) to develop funding mechanisms, including grant funds, to support long-term riparian conservation and restoration efforts. The program should fund wildlife-compatible

fencing of sensitive riparian areas. The program should also develop strategies to pay farmers and ranchers for habitat protection. Strategies could include payment for ecosystems services provided, purchase of conservation easements, or fee simple purchase of riparian areas.

Related Policy: RS.P-1

Agency/Department: Department of Resource Management

Funding Source: General Fund, Grant funds

Time Frame: Ongoing

RS.I-11: Together with landowners, land trusts, and agencies, explore habitat preservation alternatives, such as:

- voluntary acquisition of development rights or conservation easements;
- developing mitigation banks, especially within Resource Conservation Overlay areas;
- providing outreach to landowners within the Resource Conservation Overlay regarding benefits of conservation easements;
- promoting agricultural practices compatible with habitat protection;
- allowing income-generating uses on agricultural lands that can support farmers who protect habitat lands; and
- promoting eco-tourism to generate revenues to support habitat protection and keep agriculture viable.

Related Policies: RS.P-1, RS.P-2, RS.P-3, RS.P-4

Agency/Department: Department of Resource Management; Solano County Water Agency; Resource Conservation Districts

Funding Source: General Fund, Grant funds

Time Frame: Ongoing

MARSH AND DELTA AREAS

Planning Context

Solano County contains extensive marshlands critical to the health and vitality of the estuary ecosystem in the San Francisco Bay and Sacramento–San Joaquin Delta (Bay-Delta). The county is home to the largest contiguous brackish water marsh remaining on the west coast of North America and encompasses more than 10 percent of California’s remaining natural wetlands. These areas provide habitat for a diverse number of species and also provide valuable ecosystem services. The county’s marsh and Delta areas serve as the resting and feeding ground for thousands of waterfowl migrating on the Pacific Flyway and support 80 percent of the state’s commercial salmon fishery by providing important tidal rearing areas for juvenile fish.

Related Plans, Programs, and Agencies

This section describes the plans, programs, and legislative acts that direct Solano County in the protection of its marshes and Delta area. The General Plan must be consistent with these, as well as with the implementation programs referenced below.

Suisun Marsh Protection Act

In 1974, the California Legislature passed the Suisun Marsh Protection Act, designed to preserve Suisun Marsh from residential, commercial, and industrial development. The act directs BCDC and DFG to prepare a protection plan for Suisun Marsh “to preserve the integrity and assure continued wildlife use” of the marsh. The objectives of the protection plan are to preserve and enhance the quality and diversity of the Suisun Marsh’s aquatic and wildlife habitats and to ensure retention of upland areas adjacent to the marsh in uses compatible with its protection.

Suisun Marsh Local Protection Program

Under the Suisun Marsh Protection Act, Solano County and other agencies having jurisdiction within the Suisun Marsh were required to bring their policies, regulations, programs and operating procedures into conformity with the provision of the Suisun Marsh Protection Act and the Suisun Marsh Protection Plan through the preparation of a Local Protection Program. Solano County’s component of the Local Protection Program includes, General Plan policies and other polices, programs and regulations to preserve and enhance the wildlife habitat of the Suisun Marsh and to assure retention of upland areas adjacent to the marsh in uses compatible with its protection.

Delta Protection Act

The Delta Protection Act of 1992 established the Delta Protection Commission (DPC). DPC is a state agency with jurisdiction over the Primary Zone of the Delta, which is located in five counties: Solano, Yolo, Sacramento, San Joaquin, and Contra Costa. DPC is charged with the task of preparing a regional plan to address land uses and resource management for the Delta area. Key land uses identified in the legislation include agriculture, wildlife habitat, and recreation. DPC adopted its *Land Use and Resource Management Plan for the Primary Zone of the Delta* on February 23, 1995. The plan was forwarded to the five counties for incorporation into their general plans and zoning ordinances. The counties will then carry out the plan through their day-to-day activities.

White Slough Specific Plan

In 1991 the McAteer-Petris Act was amended to authorize the development of a specific area plan for White Slough by the City of Vallejo and Solano County. The *White Slough Specific Plan* aims to provide orderly, long-range conservation, use, and management of the natural, scenic, and recreational resources of White Slough. The plan includes the permanent protection and enhancement of 336 acres of tidal wetlands within White Slough and 132 acres of tidally influenced areas in South White Slough. The plan limits fill to 13 acres or less related to improvements of SR 37. The plan also aims to provide flood protection to upland areas and provide water quality protection and enhancement measures.

Napa Sonoma Marsh Restoration Project

In a collaborative effort, the U.S. Army Corps of Engineers, the California Coastal Conservancy, and DFG are managing a restoration project for 9,460 acres of wetlands and associated habitats within the former Cargill salt pond complex located to the north and northwest of Mare Island in Solano, Napa, and Sonoma Counties. The project will protect and enhance extensive habitat for endangered species, migratory waterfowl and shorebirds, and fish and other aquatic species; improve water quality and productivity in the Napa River and San Francisco Bay; and provide open space and recreational opportunities.

Delta Vision and Strategic Plan

Delta Vision is a state-sponsored process that intends to identify a strategy for managing the Sacramento-San Joaquin Delta as a sustainable ecosystem that would continue to support the environmental and economic functions critical to the people of California.

The Delta Strategic Plan will contain implementation recommendations of the Delta Vision Committee including changes in the use of land and water resources, services to be provided within the Delta, governance, funding mechanisms and ecosystem management practices. The final Delta Strategic Plan will be submitted to the Governor and Legislature by December 31, 2008. The 2008 Solano County General Plan may need to

be amended to comply with the Delta Strategic Plan and related legislation.

General Marsh-Delta Policies

- RS.P-7: Preserve and enhance the diversity of habitats in marshes, delta to maintain these unique wildlife resources.
- RS.P-8: Protect marsh waterways, managed wetlands, tidal marshes, seasonal marshes, and lowland and grasslands because they are critical habitats for marsh-related wildlife and are essential to the integrity of the marshes.
- RS.P-9: Encourage restoration of historic marshes to wetland status, either as tidal marshes or managed wetlands. When managed wetlands are no longer used for waterfowl hunting, restore them as tidal marshes.

Suisun Marsh Policies

The Marsh designation has been applied to the Suisun Marsh on the Land Use Diagram. This designation is designed to preserve and enhance the quality and diversity of marsh habitats. Uses in marsh designated areas should be restricted to aquatic and wildlife habitat; marsh-oriented recreational uses; agricultural activities compatible with the marsh environment and which protect the habitat value of marsh areas; and educational and scientific research opportunities and resources.

The Primary Management Area as established in the Suisun Preservation Act of 1977 is shown in Figure RS-3. This area consists of tidal marshes, seasonal marshes, managed wetlands, and lowland grasslands. It is the intent for this area to remain in its existing marsh and related uses as provided for in the Suisun Marsh Local Protection Program. The Secondary Management area established in the 1977 Act and shown in Figure RS-3 is designated for agricultural use. This area consists of upland grasslands and agricultural lands and serves as a significant buffer to the wetland areas. The Secondary Management Area is designed to assure retention of upland areas adjacent to the marsh in uses compatible with its protection as provided for in the Suisun Marsh Local Protection Program. The County has applied Marsh Preservation and Limited Agricultural zoning districts to the Primary and Secondary Management Areas, consistent with the General Plan.

In addition to the Suisun Marsh, a number of important habitat areas also exist along the county's significant water courses. The plan seeks to preserve the water quality and riparian habitat of these watercourses through the control of erosion, sedimentation and runoff resulting from adjacent use and development.



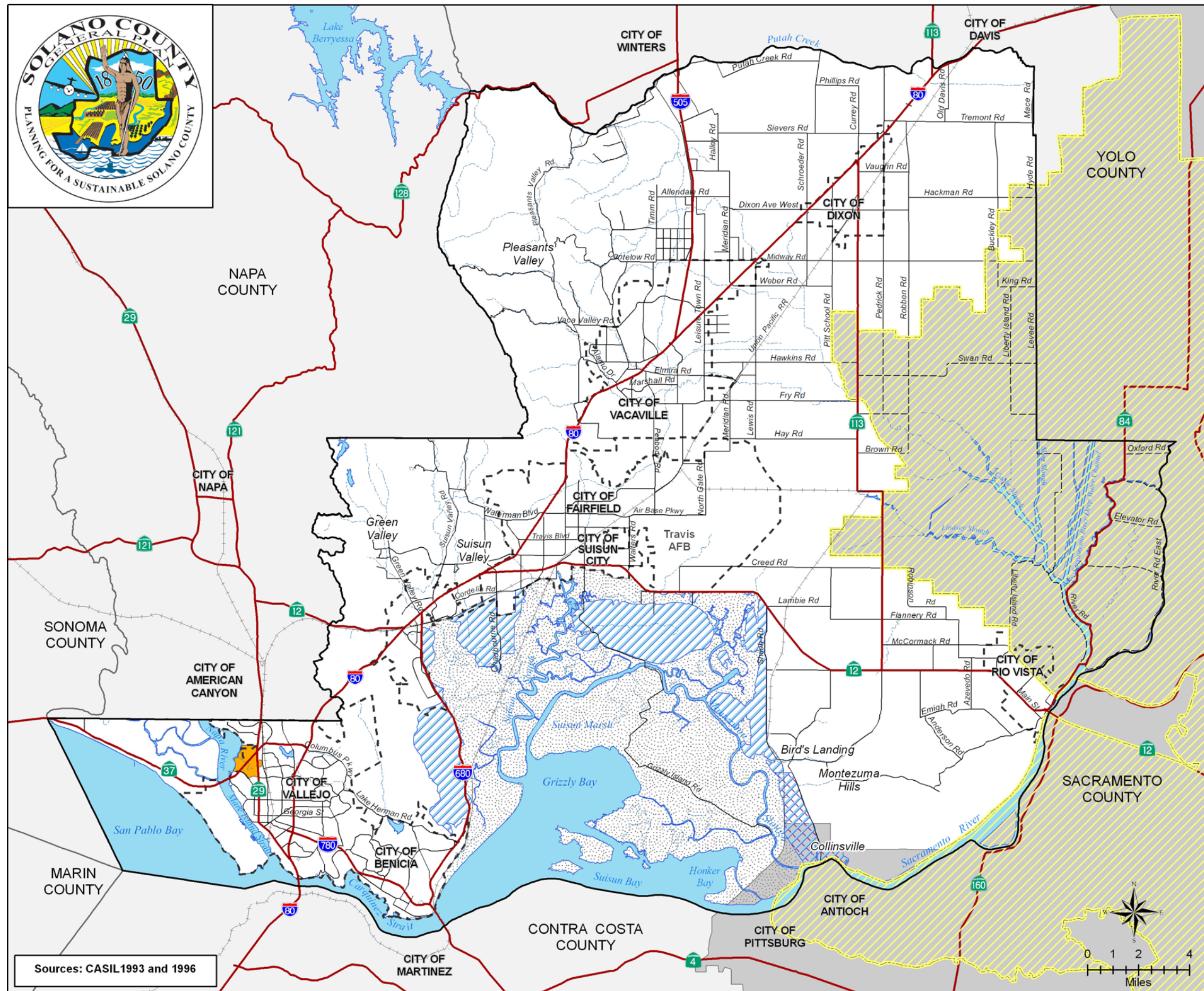
Solano County General Plan

Figure RS-3

Delta and Marsh Protection Areas

Legend

- White Slough Planning Area
- Sacramento-San Joaquin Delta Protection Areas
 - Delta Primary Zone
 - Legal Delta
- Suisun Marsh Protection Areas
 - Primary Management Area
 - Secondary Management Area
 - Water Related Industry Reserve Area
- Basemap Layers
 - Roadways
 - Highways
 - Railroads
 - Streams and Creeks
 - Major Water Features
 - Municipal Service Areas
 - Adjacent Counties



Sources: CASIL 1993 and 1996



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Areas west of I-680 and outside the boundaries of the City of Fairfield are excluded from the land use restrictions which the Act places upon the buffer, except for watercourse protection and erosion and sediment control provisions.

Under the Suisun Marsh Local Protection Program, all public and private management and development activities within the Primary and Secondary Management areas of the Suisun Marsh shall be consistent with the policies and provisions of the Suisun Marsh Protection Plan as adopted by the San Francisco Bay Conservation and Development Commission. The Marsh designation in the Water Related Industry Reserve area, a part of the secondary management area of the Suisun Marsh Protection Plan, will be managed in the same fashion as if it were a part of the primary management area of the Suisun Marsh Protection Plan.

The following policies are a part of the County's component of the Suisun Marsh Local Protection Program. More specific General Plan policies in the Local Protect Program that apply to the Suisun Marsh area are provided in Appendix C.

The following policies apply specifically to the Suisun Marsh area. These policies are more specific than the balance of the General Plan to address the requirements of the *Suisun Marsh Protection Plan* and the Suisun Marsh Protection Act of 1977.

-
- RS.P-10: The County shall preserve and enhance wherever possible the diversity of wildlife and aquatic habitats found in the Suisun Marsh and surrounding upland areas to maintain these unique wildlife resources.

 - RS.P-11: The County shall protect its marsh waterways, managed and natural wetlands, tidal marshes, seasonal marshes and lowland grasslands which are critical habitats for marsh-related wildlife.

 - RS.P-12: Existing uses should continue in the upland grasslands and cultivated areas surrounding the critical habitats of the Suisun Marsh in order to protect the Marsh and preserve valuable marsh-related wildlife habitats. Where feasible, the value of the upland grasslands and cultivated lands as habitat for marsh-related wildlife should be enhanced.

 - RS.P-13: Agriculture within the Primary Management Area of the Suisun Marsh should be limited to activities compatible with, or intended for, the maintenance or improvement of wildlife habitat. These include extensive agricultural uses such as grain production and grazing. Intensive agricultural activities involving removal or persistent plowing of natural vegetation

and maintenance of fallow land during part of the year should not be permitted.

- RS.P-14: Agricultural uses consistent with protection of the Suisun Marsh, such as grazing and grain production, should be maintained in the Secondary Management Area. In the event such uses become infeasible, other uses compatible with protection of the Marsh should be permitted.
- RS.P-15: In marsh areas, the County shall encourage the formation and retention of parcels of sufficient size to preserve valuable tidal marshes, seasonal marshes, managed wetlands and contiguous grassland areas for the protection of aquatic and wildlife habitat.
- RS.P-16: The County shall ensure that development in the County occurs in a manner which minimizes impacts of earth disturbance, erosion and water pollution.
- RS.P-17: The County shall preserve the riparian vegetation along significant County waterways in order to maintain water quality and wildlife habitat values.
- RS.P-18: The County shall ensure that public access at appropriate locations is provided and protected along the county's significant waterways within the Suisun Marsh.
- RS.P-19: Within the watershed of the Suisun Marsh, the County shall encourage sound agricultural practices which conserve water quality and the riparian vegetation.

Sacramento–San Joaquin Delta Policies

The following policies apply specifically to the Delta area. These resource policies are more specific to address the requirements of the *Delta Protection Plan*.

-
- RS.P-20: The goals, policies, and provisions of the Land Use and Resource Management Plan for the Primary Zone of the Delta are incorporated by reference. Ensure that all public and private management and development activities within the Primary Zone of the Delta are consistent with the goals, policies and provisions of the Land Use and Resource Management Plan for the Primary Zone of the Delta as adopted and as may be amended by the Delta Protection Commission.

Resources Chapter

- RS.P-21: Preserve and protect the natural resources of the Delta including soils and riparian habitat. Lands managed primarily for wildlife habitat should be managed to provide inter-related habitats.
- RS.P-22: Promote seasonal flooding and agricultural practices on agricultural lands in cooperation with landowners that incorporated "best management practices" to maximize wildlife use of lands in the Delta.
- RS.P-23: Ensure that extension of new utilities and infrastructure facilities, including those that support uses and development outside the Delta is consistent with the Land Use and Resource Management Plan for the Primary Zone of the Delta. Where construction of new utility and infrastructure facilities is appropriate, the effects of such new construction on the integrity of levees, wildlife, and agriculture activities shall be minimized to the extent feasible.
- RS.P-24: Protect the unique character and qualities of the Primary Zone by preserving the cultural heritage and the strong agricultural base.
- RS.P-25: Support long-term viability of commercial agriculture and discourage inappropriate development of agricultural lands within the Delta. Prohibit new residential, commercial, and industrial uses inconsistent with the Land Use and Resource Management Plan for the Primary Zone of the Delta.
- RS.P-26: Promote continued recreational use of the land and waters of the Delta, including fishing and boating; ensure needed recreational facilities are constructed, maintained, and supervised; protect landowners from unauthorized recreational uses on private lands; and maximize dwindling public funds for recreation by promoting public private partnerships and multiple uses of Delta lands consistent with the Land Use and Resource Management Plan for the Primary Zone of the Delta.
- RS.P-27: Support the improvement and long-term maintenance of Delta levees to preserve land areas and channel configurations in the Delta by coordinating permit reviews, and guidelines for levee maintenance; supporting development of a long-term funding program for levee maintenance; protecting levees in emergency situations; and

giving levee rehabilitation and maintenance priority over other uses of levee areas.

RS.P-28: Protect long-term water quality in the Delta in coordination with water agencies at local, state, and federal levels for designated beneficial uses, including agriculture, municipal, water-dependent industrial, water-contact recreation, boating and fish and wildlife habitat.

RS.P-29: Support marine patrol, boater education, and safety programs to the extent financially feasible and in coordination with the U.S. Coast Guard and state and local agencies with jurisdiction with the Delta.

In addition to the specific Delta policies, the Agriculture chapter has a number of policies similar to the agricultural policies in the Delta Plan. The Agriculture chapter identifies 10 agricultural regions based on the Agriculture Futures Study completed by UC Davis Agricultural Issues Center. They include Ryer Island area and the Elmira and Maine Prairie area a portion of which is in the Primary Delta. Pursuant to Agriculture chapter implementation programs, strategic plans will be prepared for each agricultural region through a community based process that will address the specific issues for each region.

Cache Slough Region

The Cache Slough Region (Region) is located in the southeastern portion of Solano County and lies within the Sacramento-San Joaquin Delta boundary. The Region is within and adjacent to the Yolo Bypass Flood System, which provides flood relief to the Cities of Sacramento and West Sacramento and locally. The Sacramento Deepwater Ship Channel runs along the Region's eastern flank. The Region is approximately 65,586 acres or 102.5 square miles, in size, and has been in agricultural production since the late 1800s. The Region is of interest to public agencies, specifically for tidal habitat and other restoration due to its north Delta location, open space, appropriate elevations and other characteristics important for recovery of aquatic native species populations. However, restoration in the Region requires wholesale conversion of significant acreages of agricultural lands, presenting challenges to remaining agriculture due to the large scale of acreages involved, potential conflicts between land uses and disruption of the interconnected system of agricultural lands and the infrastructure that supports it. The County wants to ensure that conversion of lands to other uses is protective of and addresses the continuing economic vitality of agricultural lands. The Cache Slough region contains prime agricultural soils, an abundant water supply with senior water rights, a good climate and proximity to markets, all of great value to existing agriculture in the Region..

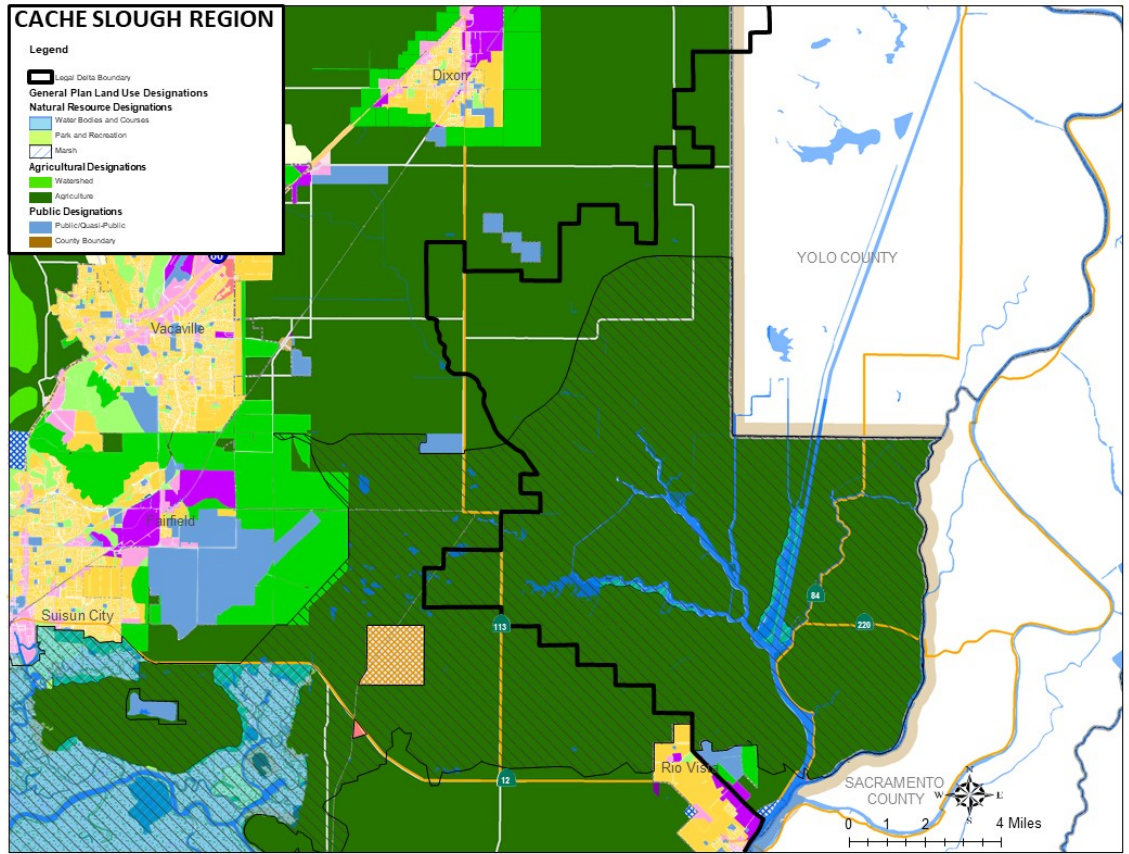


Figure RS-3.1 Cache Slough Region Land Use and Legal Delta Boundary

The following are policies, applicable to the Cache Slough Region and adjacent lands, to help guide decision making and which are consistent with the Goals and Objectives of the Agricultural, Resources and Public Health and Safety chapters of the General Plan.

Agriculture

RS.P-29.1: The conversion of agricultural lands to other land uses shall not diminish the economic viability of agriculture in the larger region. Measures to offset impacts may include enhancements to agricultural infrastructure and operations, water supply, drainage, and levees.

RS.P-29.2 Conversion of agricultural lands in Cache Slough shall not disrupt the road transportation network including access to remote locations, without improving other routes.

RS.P-29.3 Where conversion of agricultural land for ecosystem restoration or flood risk reduction purposes occurs, measures incorporated into the project shall reduce local flood and seepage risks.

Planning for a Sustainable Future

RS-P-29.4 Regulatory or other assurances to protect agricultural operations from incidental take of protected species shall be provided.

RS.P-29.5 Where possible, retain water rights from converted lands for the benefit of agricultural users in the County.

RS-P-29.6 Reduce conflict between agricultural operations and non-agricultural activities by establishing Good Neighbor Policies and working with adjacent landowners and farmers to minimize impacts to agricultural operations.

RS-P-29.7 Where conversion of agricultural lands is anticipated, early and frequent public outreach, ongoing engagement and collaboration shall include adjacent landowners, Reclamation Districts and affected public agencies.

RS-P-29.8 Where agricultural lands are converted to non-agricultural land use, compensation for the loss of agriculture shall be 1.5 to 1 ratio (1.5 acres for 1 acre of loss), consistent with General Plan policy AG-I.1 (Agricultural Chapter). Compensation measures shall be discussed with the County during the formal consultation as specified in RS.P-29,9.

Ecosystem Restoration

RS.P-29.9 State or Federal initiated ecosystem restoration proposals shall initiate a formal consultation early in the process with the County to ensure consistency with General Plan policies.

RS.P-29.10 Ecosystem proposals shall provide multiple benefits, including flood risk reduction, protection of agriculture and other benefits.

RS-P-29.11 Public recreational opportunities shall be provided, especially where there is access to the larger waterway system.

RS-P-29.12 Establish buffer zones between land uses such as setbacks, wildlife friendly agriculture, land use transitions, barriers or other measures to minimize nuisance impacts to adjacent agriculture.

RS.P-29.13 In areas where ecosystem activities is proposed, long term stewardship of the land must be addressed, including on-site management and on-going operations/maintenance along with appropriate funding.

RS.P-29.14 Consistent project monitoring and adaptive management plans shall be prepared. Monitoring shall occur through an independent party to ensure the success of the restoration project.

RS-P-29.15 Active revegetation with native species and control of non-native species is required within restoration lands.

Flood

RS-P-29.16 Strengthen and maintain levees in the Yolo Bypass Flood Control System that protect the region and upstream urban areas from excessive flooding.

RS-P-29.17 Prepare and fund a flood protection plan specific to the Region to assure continued levee protection from Yolo Bypass ecosystem projects that create higher water levels, higher flood frequency and duration, wave action and erosion. The Plan should consider long-term O&M funding for the flood system.

Water Supply & Quality

RS.P-29.18 Protect the quality and enhance the water supply infrastructure that sustains agricultural activities in the Cache Slough region.

RS.P-29.19 An active water quality monitoring program is required to ensure there is no degradation of water quality for agriculture and municipal & industrial purposes in the region. Should there be a conflict among land uses, a Plan is required to address these conflicts.

White Slough Specific Plan Area Policies

The following policies apply specifically to the *White Slough Specific Plan* area. These resource policies are proposed to address the requirements of the *White Slough Specific Plan*.

RS.P-30: Ensure that marsh restoration activities and land use development within the White Slough area is consistent with the *White Slough Specific Plan*.

RS.P-31: Facilitate the acquisition of remaining privately owned parcels/development rights within the *White Slough Specific Plan* area.

Napa Sonoma Marsh Restoration Project Policy

RS.P-32: Require marsh restoration activities and land use development within the Napa Sonoma Marsh Restoration Project area to be consistent with the requirements of the Napa Sonoma Marsh Restoration Project.

Implementation Programs

Regulations

RS.I-12	Review and update the Solano County component of the <i>Suisun Marsh Local Protection Program</i> in coordination with the San Francisco Bay Conservation and Development Commission. The guidelines and standards identified in current policies should be incorporated into the County Zoning Ordinance and development guidelines. The update will address General Plan policies and other policies, programs and regulations within the local protection program.
Related Policies:	RS.P-10 to RS.P-19, RS.P-57, RS.P-58
Agency/Department:	Department of Resource Management
Funding Source:	General Fund
Time Frame:	2011

RS.I-13:	Incorporate wind turbine guidelines, addressing development of wind turbines in the Suisun Marsh, into the County code and development guidelines. Wind turbines were not addressed in the <i>Suisun Marsh Protection Plan</i> .
Related Policy:	RS.P-14
Agency/Department:	Department of Resource Management
Funding Source:	General Fund
Time Frame:	Ongoing

Ongoing Planning Efforts, Public Outreach and Education

RS.I-14:	Promote seasonal flooding and agricultural practices on agricultural lands in cooperation with landowners to maximize wildlife use of lands in the Delta. Explore incentive programs to encourage land owner participation.
Related Policies:	RS.P-8, RS.P-22
Agency/Department:	Department of Resource Management
Funding Source:	General Fund
Time Frame:	Ongoing

Coordination with Other Agencies and Organizations

RS.I-15:	<p>Coordinate with existing plans and programs regarding the San Francisco Bay, Sacramento River, Sacramento–San Joaquin Delta, and adjacent marsh areas including:</p> <ul style="list-style-type: none"> ▪ the <i>Suisun Marsh Protection Plan</i>, ▪ the Napa Sonoma Marsh Restoration Project, ▪ the CALFED Bay-Delta Protection Program, and ▪ White Slough Specific Plan – Complete the exchange of land between the City of Vallejo and the County through the annexation and deannexation of lands as set forth in the <i>White Slough Specific Plan</i> and change land use designations as called for in the <i>White Slough Specific Plan</i>.
Related Policies:	RS.P-7 to RS.P-32
Agency/Department:	Department of Resource Management
Funding Source:	General Fund
Time Frame:	Ongoing

Cache Slough Region Implementation Program

RS.I-15.1	<p>A Cache Slough Protection and Management Plan shall be developed between the County, State and Federal agencies, to address the transition of land uses in a comprehensive manner, with relevant agency oversight. Said plan should be implemented in a timely manner to ensure that significant restoration activities do not occur prior to required agricultural sustainability measures, are put in place.</p> <p>The County shall adopt an Overlay Zone for the Cache Slough Region that establishes detailed guidance for oversight of land use changes to help ensure compatibility among land uses, and to provide greater clarity in County expectations for the protection of</p>
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agriculture in the context of ecosystem restoration projects.

Related Policies

RS.P-29.1 to RS.P-29.19

Agency/Department

Resource Management

Time Frame

2 years

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MINERALS

Planning Context

Solano County is rich in a number of nonfuel mineral resources. Mineral resources mined or produced within Solano County include mercury, sand and gravel, clay, stone products, calcium, and sulfur. Policies regarding the extraction of natural gas may be found later in this chapter, under the Energy Resources and Conservation section.

Figure RS-4 shows the locations of mineral resource zones in Solano County. Known mineral resource zones (MRZs) are located to the northeast of Vallejo, to the south and southeast of Green Valley, in areas south and east of Travis Air Force Base, and in pockets located within both Vacaville and Fairfield. Stone, gravel, sand, and clay mines are spread out around the county. Most of the mercury mines are clustered in or near the Sulfur Springs Mountain Range east of the City of Vallejo. Mercury mines include the St. Johns Mine, Hastings Mine, Borges Prospect, Brownlie Property, Vallejo, and one unnamed location. MRZs are classified by the State Geologist on the basis of geologic factors and may fall into one of four general classifications (MRZ-1 through MRZ-4). MRZ-3 zones occur throughout the county while only one MRZ-2 zone is mapped near Vallejo and Benicia. MRZ-2 zones have the highest probability of having significant mineral deposits, while MRZ-3 zones are likely to have mineral deposits which may or may not be significant.

Policies related to mineral resources facilitate the extraction of known mineral deposits, prevent the encroachment of incompatible uses adjacent to such deposits, and require mines to conduct their operations in a manner compatible with the health, safety, and welfare of county residents and surrounding land uses.

Related Plans, Programs, and Agencies

Surface Mining and Reclamation Act of 1975

The California Surface Mining and Reclamation Act of 1975 (SMARA) requires that all jurisdictions incorporate mapped mineral resources designations approved by the State Mining and Geology Board within their general plans. These resources are identified on Figure RS-4. SMARA was enacted to limit new development in areas with important mineral deposits.



Solano County General Plan

Figure RS-4

Mineral Resources

Legend

Active Mines & Mineral Processing Plants (2003)

- Crushed Stone
- Sand and Gravel
- Sulfur

Mine Locations (Mineral Resources Data System)

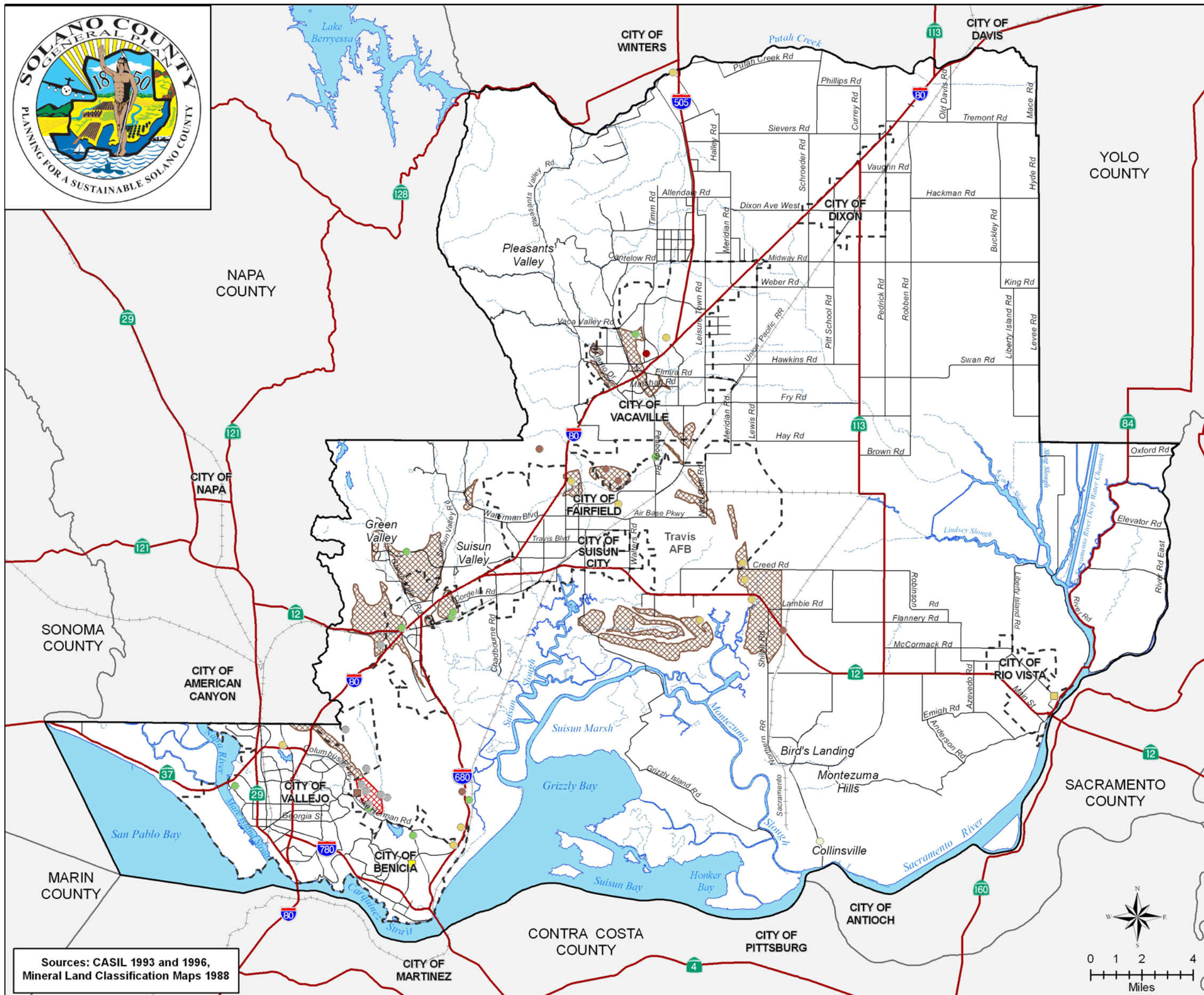
- Mercury
- Calcium
- Clay
- Mercury
- Sand and Gravel
- Stone
- Stone - Crushed/Broken
- Stone - Dimension

Mineral Resource Zones (SMARA, SR 146)

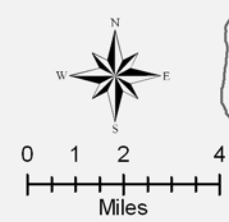
- MRZ-2: Areas where adequate information indicates that significant mineral deposits are present, or where it is judged that a high likelihood for their presence exists
- MRZ-3: Areas containing mineral deposits, the significance of which cannot be evaluated from available data

Basemap Layers

- Roadways
- Highways
- Railroads
- Streams and Creeks
- Major Water Features
- Municipal Service Areas
- Adjacent Counties



Sources: CASIL 1993 and 1996, Mineral Land Classification Maps 1988



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Policies

RS.P-33:	The County shall preserve, for future use, areas with important mineral resources by preventing residential, commercial, and industrial development that would be incompatible with mining practices to the extent feasible.
RS.P-34:	Ensure that mineral extraction operations are performed in a manner compatible with land uses on the site and surrounding area and do not adversely affect the environment. At the end of such operations, ensure that the site is restored to conform with Surface Mining and Reclamation Act requirements and to a use compatible with surrounding land uses.

Implementation Programs

Regulations

RS.I-16:	Designate land uses in mineral areas appropriately to ensure compatibility between mineral extraction and surrounding uses.
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Related Policies: RS.P-33

Agency/Department: Department of Resource Management

Funding Source: General Fund

Time Frame: Ongoing

Development Review

RS.I-17:	Evaluate impacts related to extracting mineral resources from new areas as part of the required permitting process to ensure that remediation occurs after minerals are extracted. Comply with regulations found in the Surface Mining and Reclamation Act.
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Related Policy: RS.P-34

Agency/Department: Department of Resource Management

Funding Source: Project Applicant

Time Frame: Ongoing

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RS.I-18: Create a mechanism by which owners of lands designated as containing important mineral resources can demonstrate to the County that mineral resources are not present, or are not economically feasible, and amend the designation.

Related Policy: RS.P-33

Agency/Department: Department of Resource Management

Funding Source: General Fund

Time Frame: Ongoing

Ongoing Planning Efforts, Public Outreach and Education

RS.I-19: Remain aware of studies that may reveal the presence of additional, economically viable sources of mineral resources in the County.

Related Policy: RS.P-33

Agency/Department: Department of Resource Management

Funding Source: General Fund

Time Frame: Ongoing

SCENIC RESOURCES

Planning Context

The county's agricultural landscapes, the delta and marshlands, and the oak and grass covered hills offer an abundance of scenic vistas. This scenery is an important factor in sustaining a high quality of life for the county's residents. Human activity can have both positive and negative effects on the landscape. While extensive growth occurred during recent decades and as a result certain scenic resources have been lost or obscured, the county retains a wealth of intact viewsheds. Preserving the county's valued landscapes in the future will require continued application of appropriate land use policies and development standards that respect this context.

The county's scenic resources policies and programs work in two ways. First, they protect valued landscape features found throughout the county and second, they ensure that new urban or rural development within the scenic roadway corridors is developed in a manner that respects and maintains the integrity of the viewsheds.

Related Plans, Programs, and Agencies

County area and specific plans contain language aimed at preserving, conserving, and enhancing visual resource values within the target planning area. The plans identify viewsheds or general scenic resources to be protected or improved. Plans that discuss visual resource protection explicitly include the *Tri-City and County Cooperative Plan for Agriculture and Open Space Preservation*.

Tri-City and County Cooperative Plan for Agriculture/Open Space Preservation

One of the primary objectives of the Tri-City and County Cooperative Plan is to conserve and enhance visual resources within the plan area. The plan contains policies and measures that restrict development and the extension of infrastructure into the area of valued open space between Vallejo, Benicia and Fairfield. The plan also contains area specific policies specific to siting wind turbines. These policies aim to limit the visual impact of wind energy development. The full text of the plan is contained in Chapter 11.

Policies

RS.P-35:	Protect the unique scenic features of Solano County, particularly hills, ridgelines, wetlands, and water bodies.
RS.P-36:	Support and encourage practices that reduce light pollution and preserve views of the night sky.
RS.P-37:	Protect the visual character of designated scenic roadways.

Implementation Programs

Regulations

RS.I-20:	Amend the Zoning Ordinance to: <ul style="list-style-type: none"> ▪ Include the area, policies and programs of the <i>Tri-City and County Cooperative Plan for Agriculture and Open Space Preservation</i>. ▪ Regulate construction on steep slopes. This would include slope/density provisions that reduce allowable density based on the steepness of slopes.
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Resources Chapter

- Direct the use of lighting fixtures that reduce glare and light pollution. The ordinance should provide standards for the type and location of lighting fixtures in development projects.
- Regulate construction on ridge lines.

Related Policy: RS.P-35

Agency/Department: Department of Resource Management

Funding Source: General Fund

Time Frame: Ongoing

RS.I-21: Preserve the visual character of scenic roadways as shown in Figure RS-5 through design review, designating alternate routes for faster traffic, regulating off-site advertising, limiting grading in the view corridor through the grading ordinance, limiting travel speeds, and providing pullover areas with trash and recycling receptacles.

Related Policy: RS.P-37

Agency/Department: Department of Resource Management

Funding Source: General Fund

Time Frame: Ongoing

Development Review

RS.I-22: In new developments, require the use of fixtures that direct light toward target areas and shield it from spillage.

Related Policy: RS.P-36

Agency/Department: Department of Resource Management

Funding Source: Project Applicant

Time Frame: Ongoing



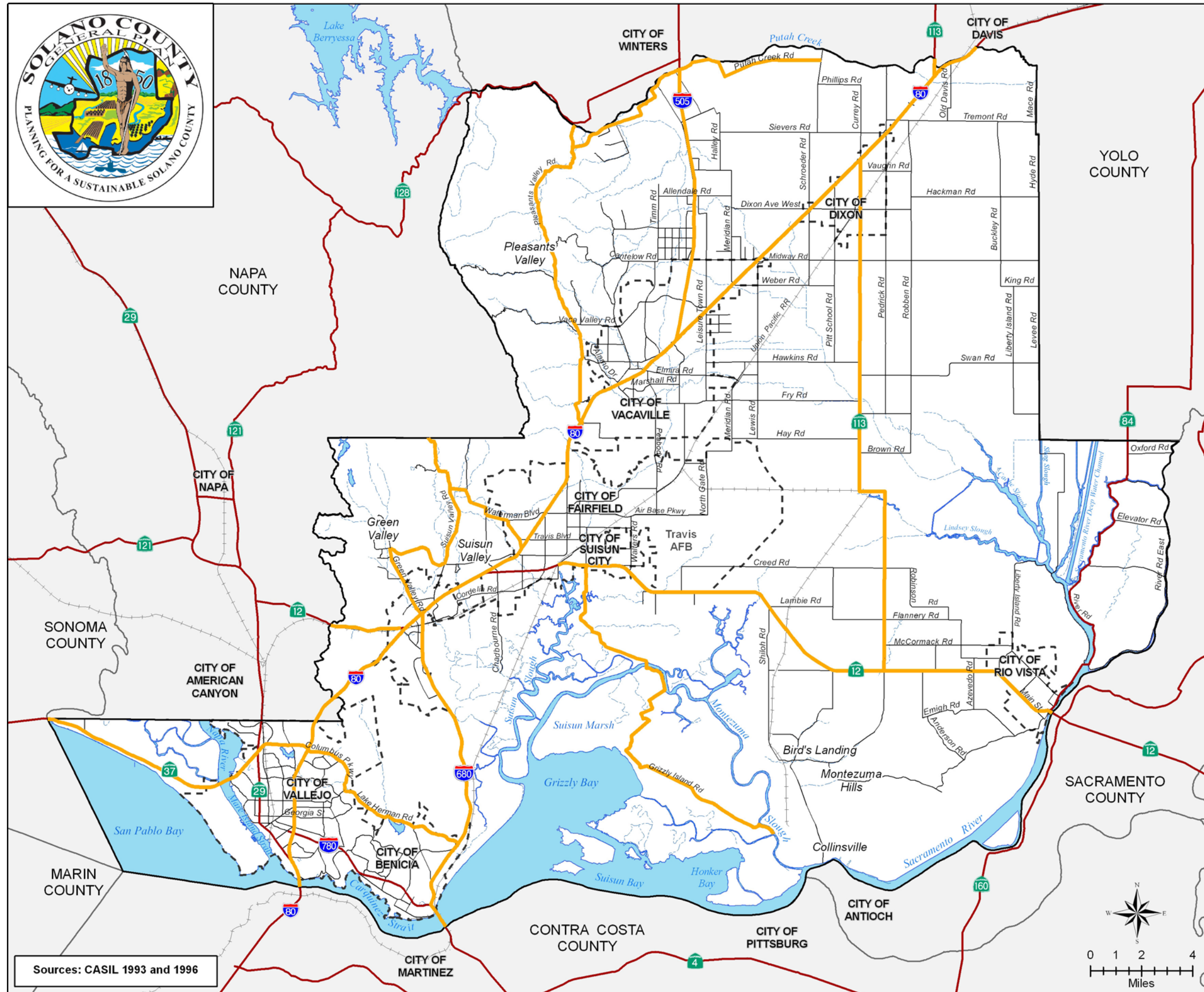
Solano County General Plan

Figure RS-5

Scenic Roadways

Legend

- Scenic Roadways
- Basemap Layers
- Roadways
- Highways
- +— Railroads
- Streams and Creeks
- Major Water Features
- Municipal Service Areas
- Adjacent Counties



Sources: CASIL 1993 and 1996



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Ongoing Planning Efforts, Public Outreach and Education

RS.I-23: Provide education on light pollution and how individuals and development proposals may decrease impacts.

Related Policy: RS.P-36

Agency/Department: Department of Resource Management

Funding Source: General Fund

Time Frame: Ongoing

Coordination with Other Agencies and Organizations

RS.I-24: Promote continued interjurisdictional cooperation and coordination of resource and land use planning of the Cooperative Planning Area through the continued operation of the Tri-City and County Cooperative Planning Group.

Related Policy: RS.P-35

Agency/Department: Department of Resource Management

Funding Source: General Fund

Time Frame: Ongoing

CULTURAL RESOURCES

Planning Context

Cultural resources include the archaeological and historic sites that provide the county's modern day residents a connection to the past and a sense of place. A variety of policies and implementation programs are needed to protect these resources from destruction by development, infrastructure extensions, modernization, and the more subtle but persistent effects of time and erosion.

Archeological evidence demonstrates that humans have lived in the region from at least the Lower Archaic period that occurred between 10,000 and 6,000 years Before Present. Prehistoric sites have been discovered throughout the county that contain shell mounds, milling sites, pottery, and worked stone artifacts. Historic records are available that describe the indigenous peoples at the time of European contact. The majority of the county was inhabited by a loosely associated group who referred to themselves as the Patwin. A small area of the eastern portion of the county may have been inhabited by the Plains Miwok.

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Resources Chapter

The California Native American Heritage Commission has identified the presence of an area of traditional, religious, and cultural importance to Native Americans within the county. While the specific location of the sacred area cannot be divulged in order to protect the site, the County will work with interested Native American groups in order to explore management strategies regarding the site.

Historic sites relevant to different time periods are found throughout the county. The Rancho period occurred in the mid-1800s when Mexican settlers constructed missions and forts in the region. Much of Solano County was divided into land grants, which were primarily used as cattle ranches for the hide- and tallow-based economy. American settlers arrived concurrently and began farming and ranching in the county's rich soils. As time progressed, numerous communities were established around the county. Many of the cities and the communities' villages exhibit historical features from the late 1800s and early 1900s including neighborhoods with small-block street-grid patterns and architectural styles that range from Italianate to vernacular cottages.

Two primary issues affect the maintenance and preservation of the county's cultural resources. The first issue is the need to continue to improve consultation with Native American groups regarding the protection of traditional cultural places and sacred sites in the context of land use decisions. In order to effectively protect such areas, the County intends to consult with Native American groups and carry out the following tasks:

- Create a dialogue between County and tribal governments in order to identify cultural places and consider such sites in land use planning decisions.
- Develop a program to systematically avoid conflicts with Native American cultural places by ensuring that local and tribal governments are provided with information early in planning processes.
- Evaluate the potential for permanently protecting certain Native American cultural places by designating them as open space.
- Develop proper management and treatment plans for cultural places.
- Develop a program to enable tribes to manage their cultural places.

The second issue focuses on the opportunity to leverage the county's historic capital for use in economic pursuits, particularly those relating to tourism. Potential exists to create a "string-of-pearls" consisting of portions of cities and unincorporated towns and areas of the county that seek to build around their history. This strategy could be a great compliment to ongoing agri-tourism efforts elsewhere in the county.

Related Plans, Programs, and Agencies

California Environmental Quality Act

The California Environmental Quality Act (CEQA) states that it is the policy of the State of California to “take all action necessary to provide the people of this state with...historic environmental qualities...and preserve for future generations examples of the major periods of California history.” If an impact on a historical or archaeological resource is significant, CEQA requires feasible measures to minimize the impact. Mitigation of significant impacts must lessen or eliminate the physical impact that the project will have on the resource. CEQA requires that all feasible mitigation be undertaken even if it does not mitigate impacts to a less-than-significant level.

California Senate Bill 18

California SB 18 (2004) requires that local governments (city and county) consult with Native American groups to aid in the protection of traditional Native American cultural places through local land use planning. The intent of SB 18 is to provide California Native American groups with an opportunity to participate in local land use decisions at an early stage to protect or mitigate impacts on cultural places. SB 18 requires local governments to consult with Native American groups before adopting and amending both general plans and specific plans.

Policies

RS.P-38:	Identify and preserve important prehistoric and historic structures, features, and communities.
RS.P-39:	Tie historic preservation efforts to the County’s economic development pursuits, particularly those relating to tourism.
RS.P-40:	Consult with Native American governments to identify and consider Native American cultural places in land use planning.

Implementation Programs

Development Review

RS.I-25:	Require cultural resources inventories of all new development projects in areas identified with medium or high potential for archeological or cultural resources. Where a preliminary site survey finds medium to high potential for substantial archaeological remains, the County shall require a mitigation plan to protect the resource before issuance of permits. Mitigation may include:
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- Having a qualified archaeologist present during initial grading or trenching (monitoring);
- Redesign of the project to avoid archaeological resources (this is considered the strongest tool for preserving archaeological resources);
- Capping the site with a layer of fill; and/or
- Excavation and removal of the archaeological resources and curation in an appropriate facility under the direction of a qualified archaeologist.
- Alert applicants for permits within early settlement areas to the potential sensitivity. If significant archaeological resources are discovered during construction or grading activities, such activities shall cease in the immediate area of the find until a qualified archaeologist can determine the significance of the resource and recommend alternative mitigation.

Related Policies: RS.P-38, RS.P-40

Agency/Department: Department of Resource Management

Funding Source: Project Applicant

Time Frame: Ongoing

Coordination with Other Agencies and Organizations

RS.I-26: Work with federal and state agencies to identify, evaluate, and protect the county's important historic and prehistoric resources. Programs administered by such agencies may include:

- California Historic Landmarks
- California Points of Historical Interest
- California Register of Historic Resources
- National Register of Historic Places
- State Historic Building Code

Related Policies: RS.P-38, RS.P-40

Agency/Department: Department of Resource Management

Funding Source: Project Applicant

Time Frame: Ongoing

Ongoing Planning Efforts, Public Outreach and Education

RS.I-27: Refer to the state Senate Bill 18 guidelines and requirements regarding cultural resources. Programs the County will engage in may include:

- ensuring local and Native American governments are provided with information early in the planning process,
- working with Native American governments to preserve and protect Native American cultural sites by designating them as open space where possible,
- providing management and treatment plans to preserve cultural places, and
- working with Native American groups to manage their cultural places.

Related Policy: RS.P-40

Agency/Department: Department of Resource Management

Funding Source: General Fund

Time Frame: Ongoing

RS.I-28 Protect and promote the county's historic and prehistoric resources by:

- providing educational programs to the public, staff, and commissions that promote awareness of the county's history and the value in preserving historic or prehistoric resources; and
- exploring and developing historic or prehistoric sites that can be used appropriately as visitor-oriented destinations.

Related Policy: RS.P-38

Agency/Department: Department of Resource Management

Funding Source: General Fund

Time Frame: Ongoing

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RS.I-29: Develop historic preservation programs and development guidelines to prevent the loss of significant historic buildings and structures. This should be done in conjunction with Program SS.I-16.

Related Policy: RS.P-38

Agency/Department: Department of Resource Management

Funding Source: General Fund

Time Frame: Ongoing

RECREATIONAL RESOURCES

Planning Context

The County's park and recreation facilities and programs are created to provide residents and visitors with opportunities for both active and passive recreation. Additionally they can provide further protection of natural resources as a complement to city and state parks and other protected open spaces in the county.

Solano County maintains three regional parks. Lake Solano Park is located at the base of the coast range foothills west of Winters and at the north end of the county along Putah Creek. The park contains a campground, picnic sites, group picnic facilities, a free boat launch for nonpowered vessels, parking, and public restrooms. Sandy Beach Park is located near Rio Vista on the Sacramento River. The park has a boat-launch ramp, campsites, picnic grounds, a hiking trail, roads for bicycling and driving, a beach, and volleyball and horseshoe pitch courts. A third regional park, Belden's Landing Water Access Facility, is located southeast of Suisun City in the Montezuma Slough/Grizzly Island area. The day-use facility includes a boat-launch ramp, a fishing pier, restrooms, and parking. Rockville Hills Regional Park is located in the unincorporated area but is owned and managed by the City of Fairfield. No neighborhood or community parks are located in the unincorporated area.

High quality and extensive recreational resources can greatly add to residents' quality of life. The County has the opportunity to expand its recreational resources by creating a connected trail network, improved bicycle routes, and additional parks and fishing access points. A second opportunity exists if federal, state, County, and city agencies coordinate efforts to implement recommendation and programs in the Park and Recreation chapter. Such coordination could result in greater recreation opportunities for the region's residents.

This section does not replace the Park and Recreation Element contained in Chapter 10 of this document. The policies and programs described below provide additional guidance on the development and management of parks, open space, and other recreational facilities.

These policies are intended to complement and support the policies contained in the Park and Recreation chapter.

Related Plans, Programs, and Agencies

Bay Trail Plan

Under SB 100 the Association of Bay Area Governments developed the *Bay Trail Plan*. The Bay Trail is planned to be a 400-mile, multi-use trail that will, when complete, encircle San Francisco Bay, linking the shorelines of 47 cities and nine counties. Currently, 290 miles of Bay Trail are complete. The trail is required to:

- provide connections to existing park and recreation facilities,
- create links to existing and proposed transportation facilities, and
- be planned in such a way as to avoid adverse effects on environmentally sensitive areas.

Implementation of the *Bay Trail Plan* will rely on Solano County to coordinate with the Association of Bay Area Governments, neighboring jurisdictions, property owners, land trusts, and other stakeholders.

Bay Area Ridge Trail Plan

The Bay Area Ridge Trail is envisioned as a more than 500-mile trail in the hills surrounding the San Francisco Bay Area that would serve hikers, trail runners, mountain bikers, and equestrians. The Bay Area Ridge Trail Council is a nonprofit organization that promotes, plans, acquires, builds, and maintains the trail. At the time of writing, 300 miles have been constructed and the council is working with landowners and regional and local government to close existing gaps.

Policies

RS.P-41:	Provide trail links and an integrated trail system to connect people to accessible open spaces and to regional trail routes.
RS.P-42:	Encourage the use of existing natural and human-made corridors such as creeks, railroad rights of way, and corridors when creating future bike path and trail alignments.
RS.P-43:	Support countywide recreation planning.
RS.P-44:	Support the provision of public lands for use in a trail network and where private land is necessary for creating connections for bike path or trail alignments. Work collaboratively with property owners to secure easements across private lands.

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- RS.P-45: Support the completion of regional trails that link destinations within Solano County and beyond, including the San Francisco Bay Trail, the Bay Area Ridge Trail and Carquinez Trust Trail Plan.
- RS.P-46: Encourage local farmers and ranchers to incorporate recreational and educational activities that provide visitor-oriented opportunities into agricultural land, in areas deemed appropriate for such opportunities.
- RS.P-47: Require recreational uses to be established in a manner compatible with agricultural activities or that minimizes an adverse impact on agriculture.
- RS.P-48: Maintain and expand public access and recreational activities within the Suisun Marsh consistent with applicable marsh policies and the protection of wildlife resources.

Implementation Programs

Funding, Physical Improvements, and Capital Projects

RS.I-30: Acquire land within Suisun Marsh to provide for increased public duck hunting and additional refuge areas for waterfowl during the hunting season. Prioritize acquisition of those lands not now operated as managed wetlands.

Related Policy: RS.P-48

Agency/Department: Department of Resource Management

Funding Source: Grant funds

Time Frame: Ongoing

RS.I-31: Seek funding to purchase land for public recreation and access to Suisun Marsh for such uses as fishing, boat launching, nature study, and for scientific and educational uses. These areas should be located on the outer portions of Suisun Marsh near the population centers and easily accessible from existing roads. Improvements for public use should be consistent with protection of wildlife resources.

Related Policy: RS.P-48

Agency/Department: Department of Resource Management

Funding Source: General Fund

Time Frame: Ongoing

RS.I-32: Provide and encourage signage on roads leading into Suisun Marsh and maintained litter receptacles at major public use areas to prevent littering and vandalism of public and private property.

Related Policy: RS.P-48

Agency/Department: Department of Resource Management

Funding Source: General Fund

Time Frame: Ongoing

Ongoing Planning Efforts, Public Outreach and Education

RS.I-33: Review and consider recommendations under the *Solano Open Space Implementation Strategy*, in coordination with the Solano County Land Trust

Related Policies: RS.P-41, RS.P-42, RS.P-43, RS.P-44, RS.P-45, RS.P-46, RS.P-47, RS.P-48

Agency/Department: Department of Resource Management

Funding Source: General Fund

Time Frame: Ongoing

RS.I-34: Look for successful examples of regional recreation planning or regional facilities and use those examples to influence future efforts. Such examples could include:

- *Tri-City and County Cooperative Plan for Agriculture and Open Space Preservation*;
- Green Valley Bike Path—a popular trail in Solano County;
- Sonoma County Agricultural and Open Space Preservation District— a countywide open space district using a variety of tools to acquire land that is used as open space for a variety of reasons, including recreation;
- Marin County Open Space District—a countywide open space district using a variety of tools to acquire land that is used as open space for a variety of reasons, including recreation; and
- East Bay Regional Park District.

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Related Policies: RS.P-41, RS.P-43

Agency/Department: Department of Resource Management

Funding Source: General Fund

Time Frame: Ongoing

RS.I-35: Monitor levels of use in the Suisun Marsh to ensure that use intensity is compatible with other recreation activities and with protection of the Suisun Marsh environment.

Related Policy: RS.P-48

Agency/Department: Department of General Services; State Department of Fish and Game; Suisun Resource Conservation District; Bay Conservation and Development Commission

Funding Source: General Fund

Time Frame: Ongoing

Coordination with Other Agencies and Organizations

RS.I-36: Coordinate with cities, regional organizations, and neighboring counties to prepare a countywide trails plan to complete countywide and regional trail systems. These include pedestrian, bike, and equestrian trails; the regional Bay Area Ridge Trail; and Bay Trail.

Related Policies: RS.P-41, RS.P-42, RS.P-44, RS.P-45, TC.P-25

Agency/Department: Department of Resource Management; Department of General Services

Funding Source: General Fund

Time Frame: Ongoing

ENERGY RESOURCES AND CONSERVATION

This section discusses the identification of energy sources and the conservation and use of energy in Solano County. Other policies related to energy conservation, including land use patterns that decrease automobile use, are located in the Land Use chapter.

Planning Context

Energy resources are essential to achieving a high quality of life for county residents. Residents, workers, and visitors use energy resources in their daily lives in transportation, work, recreation, and relaxation. Transportation-related activities use the most energy, the majority of which is nonrenewable fossil fuels imported from outside the county. Fossil fuels are known to cause air pollution and climate change and are becoming an increasingly expensive and problematic fuel source. To ensure the availability and affordability of energy resources in the future, the County will need to increase the development of renewable energy sources and energy conservation. Solano County has been a leader in renewable energy production and will continue to increase its use of wind, solar, and other alternatives to fossil fuels.

Energy Resources

A variety of existing and potential sources of energy are located in Solano County. This section describes these resources, their roles in the county, and opportunities for development.

Fossil fuels, primarily in the form of gasoline and natural gas, currently produce the majority of the energy used in Solano County. While fossil fuels have been relatively inexpensive and readily available over the last 50 years, prices have increased dramatically over the last few years. Over the life of the General Plan, it is likely that environmental regulations, climate change strategies, national security requirements, and the depletion of the earth's oil reserves may cause fossil fuels to become a substantially more expensive and less viable fuel source. While fossil fuels are currently an important part of Solano's energy sources, alternatives to this type of energy are key to ensuring energy resources for the future.

No power plants powered by fossil fuels are located in Solano County, but three that provide a portion of the county's electricity are nearby. They are the Potrero Power Plant in San Francisco, the Pittsburg Power Plant in Pittsburg, and the Contra Costa County Power Plant in Antioch. All are powered primarily by natural gas.

Natural gas is harvested throughout Solano County and contributes to the economy in various ways. Most of the new gas retrieval is taking place in proven gas fields, though field boundaries are being extended when new drilling proves successful. Natural gas fields in Solano County are located

in the Denverton Creek field, East Dixon, Lindsey Slough, Van Sickle Island, Elkhorn Slough, Davis Southeast, Saxon, Ryer Island, Suisun Bay, the Rio Vista field and other parts of the county. One substantial natural gas storage area exists in the county at Kirby Hill.

Natural gas is a common fuel for commercial, industrial, and residential uses as well as electricity production. Natural gas is produced in Solano County and throughout California, though the majority is imported from other countries. Natural gas consumption in Solano County and the United States in general is expected to increase as it burns cleaner and causes relatively less-harmful pollution than other fossil fuels like coal and oil. While natural gas reserves are predicted to last slightly longer than oil reserves, natural gas is not a permanent fuel source, contributes to global warming, and cannot increase over the long run.

Though California has not recently experienced a natural gas shortage, the possibility of a shortage exists in the event of a colder-than-average winter, increased demand in other states, or a natural disaster. Both California and Solano County need to expand their ability to determine the adequacy of natural gas infrastructure and likelihood of peak demand spikes in the event of a shortage.

Gasoline is an important source of energy in the county as well, primarily for transit and automobiles. Essentially all of Solano County's petroleum is imported. However, substantial operations for refining petroleum are active in the county, including the Valero refinery in Benicia, and are important contributors to energy production and the local economy. While refinery operations are likely to continue throughout the life of the General Plan, the anticipated decline in fossil fuel production and use will eventually require that more renewable sources of energy production replace both the economic and energy-producing role of the refinery.

Solano County does not currently have a nuclear power plant. Concerns with waste disposal, safety in the event of a disaster, and radiation have made nuclear power unattractive to decision-makers as a source of future energy production; therefore, the County does not encourage the development of nuclear power plants.

Wind energy converts the movement of wind to electricity through mechanical wind turbines. Wind electricity can be generated both on a small scale in agricultural and residential land and on a large scale through wind farms. Climatic conditions have blessed Solano County with excellent wind energy resources, and the county is one of five major utility-scale producers of wind energy in California.

While the county has extensive wind energy resources, numerous environmental concerns remain related to wind turbines. The biggest of these issues is the potential for bats and birds to be caught in the turbines and killed. A number of design improvements which have become standard practice have reduced these potential effects on bat and bird populations.

The County has identified the Collinsville-Montezuma Hills south of SR 12 as the primary wind resource area in the county. Noncommercial accessory wind turbine installations are allowed with a building permit in any agricultural or natural resource zoning district. These types of installations are defined as less than 100 feet in height, with a total rated power output of 100 kilowatts or less. The guidelines and standards found within the General Plan implementation programs are directed at commercial, nonaccessory wind turbine installations. Agricultural lands within the county are particularly appropriate for wind harvesting as turbines generally do not interfere with daily agricultural operations and can provide additional revenue on these properties.

Wind energy development is inappropriate in certain areas of the county, in order to protect public health and safety and natural resources. These areas are urban areas, the Suisun Marsh Primary Management Area, the Stebbins Cold Canyon Natural Area, San Pablo Bay National Wildlife Refuge, and the Jepson Prairie preserve owned by the Solano Land Trust.

In other areas of the county, wind energy development will be processed under the normal use permit procedure. Additional documentation may be required due to lack of existing data. Wind energy development, depending on size and location of the project, may require both wind resource verification and an environmental impact report to meet CEQA requirements. The County incorporates by reference the most up-to-date mapping of wind resource areas available from the California Energy Commission, or subsequent agency, into the General Plan. Applicants seeking permits for commercial wind turbine installations shall be required to demonstrate that the wind resource in their area is adequate using the mapping, wind studies and technology current to their permit application. Any future development of wind energy must be consistent with Airport Land Use Plans and air operations of Travis Air Force Base and the Rio Vista Airport.

Solar energy uses the heat of the sun to produce electricity or to directly heat buildings or water. Solano County has numerous opportunities for the development of solar energy. Some small solar development has occurred throughout the county, including the Solano County Government Center. Solar energy is more practical on a smaller scale as it is space-intensive, and Solano County will continue to promote residential and commercial solar development in the future.

Hydroelectric facilities use rivers, streams, irrigation canals, and water treatment plants to generate electricity. Solano County contains some hydroelectric facilities, though most electricity production occurs at the Monticello Dam. The detrimental environmental effects of large dams make future large hydroelectric projects unlikely, but potential exists for development of additional small-scale hydroelectric projects in the county.

Geothermal power uses heat from below the earth's surface to produce electricity or to heat buildings and water systems. This type of power generation produces very little air pollution, is extremely reliable, and can

be used on a variety of scales including residential heating systems and large power plants that provide large amounts of electricity.

While geothermal power is currently being used in other parts of California, the potential for its use in Solano County is still largely unknown. Federal and state geologic surveys have not indicated that Solano County possesses any high-temperature resources useful for geothermal power production, but the potential for the discovery of geothermal resources remains.

Transformation projects, also known as resource recovery projects or “waste-to-energy” development, convert agriculture byproducts and municipal wastes to fuel or electricity. The transformation projects’ primary purpose is to dispose of waste, but as waste decomposes, it releases a variety of gases that can be harvested for energy. Solano County currently produces large volumes of agricultural byproducts, much of which are disposed of by open burning. Transformation plants could be an alternative method of disposal, which would be beneficial in energy production and in the reduction of emissions associated with open burning.

Energy Efficiency Programs

Increasing efficiency, along with producing more renewable sources of energy, will assist the county in reducing its reliance on fossil fuels. The County has taken steps toward energy conservation in the construction of green County buildings such as the Solano County Government Center. Additional steps include reducing energy consumption in all new and existing residential, commercial, and industrial development. Conservation is best achieved by reducing electricity use through energy efficient appliances, solar orientation of buildings, and reduction in private automobile use through land use and transportation policies that encourage fewer and shorter vehicle trips. Energy conservation has numerous benefits beyond environmental stewardship, including financial savings for individual businesses and families.

Related Plans, Programs, and Agencies

The California Legislature has become increasingly interested in reducing the emissions from burning fossil fuels. Assembly Bill 32, passed in 2006, requires that California reduce carbon dioxide emissions to 1990 levels by 2020. While this legislation has profound energy implications, it has left many of the details of implementation to local jurisdictions and the private sector. Energy conservation measures and renewable energy sources will help Solano County to do its part to fulfill the requirements of Assembly Bill 32. A variety of state and national programs are relevant to reducing Solano County’s energy use, and to developing renewable energy. These programs are referenced in the “Policies” and “Implementation Programs” sections.

Title 24

Title 24 in the California Code of Regulations delineates energy efficiency standards for residential and nonresidential buildings. The standards are updated periodically to incorporate new energy-efficient building technologies and methods.

Energy Star

Energy Star is a joint program of the United States Environmental Protection Agency and the Department of Energy. The program establishes criteria for energy efficiency for household products and labels energy efficient products with the Energy Star seal. Homes can be qualified as Energy Star homes as well if they meet efficiency standards. In California, Energy Star homes must use at least 15 percent less energy than the Title 24 regulations, pass the California Energy Star Homes Quality Insulation Installation Thermal Bypass Checklist Procedures, have Energy Star windows, and have minimal duct leakage.

Leadership in Energy and Environmental Design

Leadership in Energy and Environmental Design (LEED) is a program of the United States Green Building Council. Green buildings are LEED certified based on criteria for energy efficiency, environmental design, indoor environmental quality, water savings, and materials selection.

Community Choice Aggregation

Community Choice Aggregation permits any jurisdiction to aggregate the electric loads of residents, businesses, and public facilities to facilitate the purchase and sale of electrical energy, while each customer is given an opportunity to leave their community's aggregation program and thereby continue to be served by the incumbent distribution utility. The establishment of a Community Choice Aggregation program allows a jurisdiction greater choice in the source of its power, allows the purchase of renewable energy to increase, and does not necessarily increase the cost of electricity for its constituents.

Policies

RS.P-49:	Ensure energy conservation and reduced energy demand in the county through required use of energy-efficient technology and practices.
RS.P-50:	Provide incentives for city and county residents and businesses to produce and use renewable sources of energy.
RS.P-51:	Promote Solano County as a model for energy efficiency and green building.

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- RS.P-52: Ensure adequate and affordable supplies of energy to meet the energy needs of the county.
- RS.P-53: Enable renewable energy sources to be produced from resources available in Solano County, such as solar, water, wind, and biofuels to reduce the reliance on energy resources from outside the county.
- RS.P-54: Reduce Solano County’s reliance on fossil fuels for transportation and other energy-consuming activities.
- RS.P-55: Require responsible extraction, storage, and transportation of natural gas resources that minimize the impact on the natural environment.
- RS.P-56: Provide information, marketing, training, and education to support reduced energy consumption, the use of alternative and renewable energy sources, green building practices, recycling, and responsible purchasing.
- RS.P-57: Encourage the use of technology or siting to minimize adverse impacts from energy production facilities on the environment, including wildlife and agricultural resources.
- RS.P-58: Require the siting of energy facilities in a manner compatible with surrounding land uses and in a manner that will protect scenic resources.
- RS.P-59: Encourage on-site renewable energy production and use and energy conservation measures.

Implementation Programs

Regulations

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- RS.I-37: Amend and maintain the Zoning Ordinance to guide the siting of commercial, nonaccessory wind turbine installations. Include the following standards into the ordinance:
 - Require a minimum setback of 1,000 feet or three times total turbine height, whichever is greater, from a dwelling unit, residential building site, or land zoned for residential uses.
 - Require a minimum setback of three times total turbine height from any zoning district (other than residential) which does not allow wind turbines.
 - Require a minimum setback of three times total turbine height from any property line, public

roadway, transmission facility, or railroad. This minimum setback may be waived in the case of wind farms located on adjacent parcels, provided an agreement has been reached between the neighboring property owners.

- Require a setback of 1/4 mile from the right-of-way of any scenic roadway.
- In the Cordelia Hills, wind energy development shall be set back to those areas which are beyond the sight of existing residential neighborhoods and areas planned for residential development, and set back to areas beyond view from I-80 and I-680. No turbine shall be sited within this zone.
- Define noncommercial wind energy generators as “wind-driven machines” that convert wind energy into production of electrical power for the primary purpose of on-site use and not for resale, that are 100 feet or less in height, and that have a total rated power output of 100 kilowatts or less.
- Establish a procedure for plan check and testing of wind electric generators prior to use permit or building permit approval. Certification of all detailed plans for electrical systems, electrical substations, support towers, and foundations by California licensed professional engineers shall be required. Performance testing of wind turbine generators shall be required to ensure against catastrophic failure.
- Include commercial wind turbine development as a permitted use in the following zone districts:
 - Exclusive Agricultural (A)
 - Limited Agricultural (A-L)
 - Water-Dependent Industrial (I-WD)
 - Limited Manufacturing (M-L)
 - General Manufacturing (M-G)
 - Watershed and Conservation (W)
- Non-commercial wind energy development shall be allowed in districts as currently provided for in the ordinance.

Related Policies: RS.P-22, RS.P-37

Agency/Department: Department of Resource Management

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Funding Source: General Fund

Time Frame: By 2011

RS.I-38: Require all new and remodeled residential, commercial, industrial, institutional, and civic construction to exceed current (2008) Title 24 state energy-efficiency requirements by at least 20 percent, and require that all new residential homes and major renovations comply with the guidelines for the California Energy Star Homes Program. If the state increases the requirements of Title 24, examine the feasibility of increasing County energy efficiency requirements. Adopt an energy efficiency ordinance that requires upgrades as a condition of issuing permits for substantial remodels or additions. Require disclosure of the energy consumption of a home during the sale or lease of a residence or building.

Related Policies: PF.P-3 RS.P-49, RS.P-50, RS.P-51, RS.P-52, RS.P-54, RS.P-56

Agency/Department: Department of Resource Management

Funding Source: General Fund

Time Frame: By 2011

RS.I-39: Restrict construction and drilling in tidal marsh and managed wetland areas to occur only during the dry months of the years to ensure these activities will not disturb wintering waterfowl.

Related Policies: RS.P-57, RS.P-58

Agency/Department: Department of Resource Management

Funding Source: General Fund

Time Frame: Ongoing

Funding, Physical Improvements, and Capital Projects

RS.I-40: Require all County operations to use renewable energy for 50 percent or more of their energy needs.

Related Policies: RS.P-51, RS.P-57

Agency/Department: Department of Resource Management

Funding Source: General Fund

Time Frame: Ongoing

RS.I-41: Require that all new County buildings and major renovations and additions achieve LEED certification or meet equivalent performance standards. A LEED Silver certification level and reduced operational costs are preferred outcomes.

Related Policies: RS.P-49, RS.P-50, RS.P-51, RS.P-52, RS.P-54, RS.P-56

Agency/Department: Department of General Services

Funding Source: General Fund

Time Frame: Ongoing

RS.I-42: Replace existing County vehicles with alternative fuel vehicles such as electric, hybrids, natural gas, and fuel cell powered vehicles. New County vehicles must be alternative fuel vehicles.

Related Policies: RS.P-49, RS.P-50, RS.P-51, RS.P-52, RS.P-54, RS.P-56

Agency/Department: Department of General Services

Funding Source: General Fund

Time Frame: Ongoing

RS.I-43: Seal abandoned gas wells in accordance with Division of Oil and Gas regulations. Remove the drilling or production facilities and revegetate the surface area with native vegetation within one growing season after abandonment.

Related Policies: RS.P-55

Agency/Department: Department of Resource Management

Funding Source: Project Applicants

Time Frame: Ongoing

RS.I-44: Partner with community services agencies to fund energy efficiency projects, including heating, ventilation, air conditioning, lighting, water heating equipment, insulation, and weatherization for low-income residents.

Related Policies: RS.P-49, RS.P-50, RS.P-59

Resources Chapter

Agency/Department: Department of Resource Management

Funding Source: General Fund, community services agencies

Time Frame: Ongoing

RS.I-45: Execute an Energy Savings Performance Contract with a private entity to retrofit public buildings. This type of contract allows the private entity to fund all energy improvements in exchange for a share of the energy savings over a period of time.

Related Policies: RS.P-49, RS.P-51, RS.P-59

Agency/Department: Department of Resource Management

Funding Source: General Fund

Time Frame: Ongoing

Development Review

RS.I-46: Require residential development of more than six units to participate in the California Energy Commission's New Solar Homes Partnership and to construct LEED-certified units or meet equivalent performance standards. For new affordable housing projects, performance standards shall be established pursuant to the requirements of the funding source(s). Require new construction or major renovation of commercial and industrial buildings over 10,000 square feet in size to incorporate renewable energy generation to provide the maximum feasible amount of the project's energy needs. Commercial buildings shall incorporate renewable energy generation to provide at least 20 percent of the project's needs.

Related Policies: RS.P-50, RS.P-59

Agency/Department: Department of Resource Management

Funding Source: Project Applicants

Time Frame: Ongoing

RS.I-47: Require the use of Energy Star rated appliances and the most energy-efficient Energy Star rated water heaters and air conditioning systems that are feasible in the construction of new homes, in all substantial remodels when appliances are being replaced, and in any case where a permit is

needed to install or replace appliances (e.g., water heaters, air conditioning).

Related Policy: RS.P-49

Agency/Department: Department of Resource Management

Funding Source: Project Applicants

Time Frame: Ongoing

RS.I-48: Require all commercial, institutional, and industrial development to reduce potential urban heat island effect by using U.S. EPA-Energy Star rated roofing materials and light colored paint, using light colored paving materials for internal roads and parking, and using shade trees to shade south and west sides of new or renovated buildings and to achieve a minimum of 50 percent shading for all parking lots surfaces. Continue to ensure compliance with existing state building requirements for energy-conserving roofing materials on nonresidential buildings in new construction and reroofing. Amend the County Zoning Ordinance to encompass these requirements.

Related Policy: RS.P-49

Agency/Department: Department of Resource Management

Funding Source: Project Applicants

Time Frame: By 2011

RS.I-49: Require all off-road diesel powered vehicles used for construction to be newer model, low-emission vehicles, or use retrofit emission control devices, such as diesel oxidation catalyst and diesel particulate filters verified by the California Air Resources Board.

Related Policy: RS.P-54

Agency/Department: Department of Resource Management

Funding Source: Project Applicants

Time Frame: Ongoing

RS.I-50: During review of wind turbine generator proposals, consider the following:

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- Wind turbine generators shall not be located in areas that conflict with the mission of Travis Air Force Base or other air operation facilities.
- Commercial turbines and non-commercial turbines over 100 feet in height or with a total rated power output of more than 100 kilowatts in designated wind resource areas require a public hearing and use permit approval by the Planning Commission.
- Following use permit approval, building permits and grading permits are required. Non-commercial turbines 100 feet or less in height and 100 kilowatts or less in rated power output require only building permits and grading permits.
- Submittal requirements for use permit applications within the wind resource areas include the following:
 - Permit application
 - Project description form (requires information on size and characteristics of project, physical and performance specifications of equipment, transmission system, certification, project schedule and phasing, circulation, and access).
 - Acoustical analysis
 - Archaeological survey
 - Geotechnical report (must correlate to standard County requirements for geotechnical analysis)
 - Site plan
 - Elevation package (elevation drawings to scale of proposed turbines and accessory uses).
 - Notification of the Federal Aviation Administration of any application with wind turbines over 200 feet in height within 20,000 feet of a runway of any airport.
 - Notification of the utility and the California Public Utilities Commission of application filing.

- Notification of application filing to microwave communications link owners within 2 miles of the proposed installation.
- Adjacent property owner's notification package.
- Current aerial photographs or panoramic photographs of the site.
- Evidence of liability and workers compensation insurance.
- Map locating all residences within 2 miles of the proposed project.
- Certification of detailed plans for electrical systems and transmission lines, substation, support towers, generators, and foundations by California licensed professional engineers (electrical, civil, and structural).
- Performance test documentation by a licensed engineer for all proposed turbine types.
- Contribution to escrow account for removal of inoperable or unsafe wind equipment and associated uses, including foundations.
- Following review of the applicant's site plan by County planning staff, a biological assessment would be required if it is determined that sensitive biological resources identified by the Resource Conservation Overlay (Figure RS-2) could be affected by the proposed project. If the proposed wind turbine siting would fall within or near areas of sensitivity, additional biological assessment of the probable impacts of the project would be required as part of the permit application. Findings of the biological assessment would determine need for biological resource monitoring and mitigation for protection of biological resources. For projects proposed in areas of low biological sensitivity, no additional biological information would be required.

Submittal requirements for building permit and grading permit applications shall be as follows:

- Completed permit application.

- Detailed plans and specifications for structures, foundations, electrical systems, certified by a California licensed professional engineer. Plans will be checked for compliance with such codes as the Uniform Building Code, the National Electrical Code, and applicable ANSI and IEEE standards.
- Grading and erosion, sediment, and runoff control plans.
 - A standard set of minimum conditions would apply to every permit approval. These conditions could be modified or added to at the discretion of Resource Management Department staff, Planning Commission, or Board of Supervisors.

Additional environmental information beyond that required for permit processing would not be required for projects proposed within wind resource areas south of SR 12 in the Montezuma Hills.

In addition to the required safety setbacks, applicants would be required to demonstrate that the CNEL 50 influence area of proposed wind turbines would not coincide with residential areas or individual dwelling units. No turbines which exhibit high infrasonic noise generation potential would be permitted within one mile of residential uses or land zoned for residential uses.

The Zoning Ordinance should require a bond or other guarantee, such as a contribution to an escrow account, for removal of inoperable or unsafe wind equipment and associated uses, including foundations, after use permit approval.

Related Policies: RS.P-22, RS.P-50, RS.P-52, RS.P-53, RS.P-54, RS.P-56, RS.P-57, RS.P-58

Agency/Department: Department of Resource Management

Funding Source: General Fund

Time Frame: Ongoing

RS.I-51: Adopt a County "green building program." Require all new and renovated commercial, office, and institutional buildings over 10,000 square feet in size to achieve LEED certification, or meet equivalent performance standards. Amend the County Zoning

Ordinance to encompass these green building requirements. Provide permitting-related and other incentives for building projects that exceed the County’s energy efficiency standards by greater than 5 percent.

Related Policies: RS.P-49, RS.P-50, RS.P-51, RS.P-52, RS.P-54, RS.P-56

Agency/Department: Department of Resource Management

Funding Source: General Fund

Time Frame: Ongoing

RS.I-52: Require that development projects use landscaping and site design techniques that minimize energy use. These may include designing landscaping to shield or expose structures to maximize energy conservation or acquisition; and taking advantage of orientation, sun-shade patterns, prevailing winds, landscaping, and sunscreens. Amend development standards to require such techniques.

Related Policies: RS.P-49, RS.P-50, RS.P-51, RS.P-52, RS.P-54, RS.P-56

Agency/Department: Department of Resource Management

Funding Source: Project Applicant

Time Frame: Ongoing

RS.I-53: Review studies and reports and incorporate recommended standards and guidelines to reduce bird and bat mortality rates. These guidelines may include new technology or alternative siting of turbines. The standards and guidelines shall incorporate the California Energy Commission’s *Guidelines for Reducing Impacts to Birds and Bats from Wind Energy Development* or any superseding guidelines and recommendations of the energy and wildlife resource agencies for wind power projects.

Related Policies: RS.P-50, RS.P-52, RS.P-53, RS.P-54, RS.P-56, RS.P-57, RS.P-58

Agency/Department: Department of Resource Management

Funding Source: General Fund

Time Frame: Ongoing

Resources Chapter

RS.I-54: Provide safeguards and require compliance for the production, injection, and drilling of natural gas deposits.

Related Policies: RS.P-50, RS.P-55, RS.P-56, RS.P-57

Agency/Department: Department of Resource Management

Funding Source: General Fund

Time Frame: Ongoing

RS.I-55: Require the design and orientation of all buildings to maximize passive solar heating during cool seasons, avoid solar heat gain during hot periods, enhance natural ventilation, and promote effective use of daylight. Orientation should optimize opportunities for on-site solar generation.

Related Policies: RS.P-49, RS.P-51, RS.P-56, RS.P-59

Agency/Department: Department of Resource Management

Funding Source: General Fund

Time Frame: Ongoing

RS.I-56: Where feasible, include appropriate facilities in new buildings to support the use of low/zero carbon fueled vehicles. This may include charging stations for electric vehicles which use green electricity sources.

Related Policies: RS.P-50, RS.P-54, RS.P-59

Agency/Department: Department of Resource Management

Funding Source: General Fund

Time Frame: Ongoing

Ongoing Planning Efforts, Public Outreach and Education

RS.I-57: Investigate the feasibility of using solar (photovoltaic) streetlights instead of conventional streetlights.

Related Policy: RS.P-49

Agency/Department: Department of Resource Management

Funding Source: General Fund

Time Frame: By 2011

RS.I-58: Protect the viability of renewable energy generation within the county by protecting resources such as solar access on buildings and high value wind energy sites. Facilitate the development of renewable energy generation in the county through the provision of streamlined permitting processes.

Related Policies: RS.P-50, RS.P-53, RS.P-56

Agency/Department: Department of Resource Management

Funding Source: General Fund

Time Frame: Ongoing

RS.I-59: Promote public awareness of energy conservation and efficiency through the development of a publicity program. This program shall include information describing how residents can retrofit existing homes for increased energy efficiency. Encourage the use of low-carbon and renewable fuels and zero emissions technologies.

Related Policies: RS.P-49, RS.P-50, RS.P-51, RS.P-52, RS.P-54, RS.P-56

Agency/Department: Department of Resource Management

Funding Source: General Fund

Time Frame: Ongoing

RS.I-60: Conduct studies that identify methods to expand renewable energy production in the county. Methods may include incentives such as expedited permit processing, reduced fees, and technical assistance to encourage energy-efficiency technology, research and practices.

Related Policies: RS.P-50, RS.P-52, RS.P-53, RS.P-54, RS.P-56

Agency/Department: Department of Resource Management; Department of General Services

Funding Source: General Fund

Time Frame: By 2011

RS.I-61: Investigate the feasibility and benefit of establishing a Community Choice Aggregation program by analyzing energy production costs and by establishing a stakeholder advisory group.

Resources Chapter

Related Policies: RS.P-49, RS.P-50, RS.P-51, RS.P-52, RS.P-54, RS.P-56

Agency/Department: Department of General Services

Funding Source: General Fund

Time Frame: Ongoing

RS.I-62: Ensure that natural gas storage facilities meet all safety standards of the Division of Oil and Gas.

Related Policy: RS.P-55

Agency/Department: Department of Resource Management

Funding Source: General Fund

Time Frame: Ongoing

RS.I-63: Require energy and water efficiency audits for new construction or substantial remodels of commercial, industrial, and institutional buildings. Examine existing usage and potential reductions related to heating, ventilation, air conditioning, lighting, water heater equipment, insulation, weatherization, and water usage by buildings and landscaping. Require energy and water audits of all County buildings.

Related Policies: RS.P-50, RS.P-54, RS.P-59

Agency/Department: Department of Resource Management

Funding Source: General Fund

Time Frame: Ongoing

COMMUNITY SEPARATORS

Planning Context

Numerous communities in Solano County have expressed a common desire to maintain a distinct sense of identity and to remain physically separated from other cities. Community separators are an effective means of achieving this goal. All the cities in the county, as well as some neighboring communities, have established agreements and plans in order to maintain land between communities in open space and agricultural uses.

In addition, the County has created the Agricultural Reserve Overlay to contribute to the cities' efforts. The intent of the overlay is to preserve the valued agricultural landscapes that exist in the areas between Vacaville

and Dixon and between Dixon and Davis by encouraging private landowners to voluntarily participate in land conservation. A community separator between Benicia, Vallejo, and Fairfield is similarly maintained through provisions of the Tri-City Cooperative Planning Area overlay.

The Agricultural Resource Overlay designation will serve as an agricultural mitigation bank for development projects subject to County and city agricultural mitigation programs. Projects affecting agricultural resources in other areas of the county or in participating cities could mitigate this impact by paying in-lieu fees used to purchase agricultural easements from willing landowners within the overlay area. Easements would be held by the County, cities, or relevant land trusts, while the landowner maintains ownership and management control.

The Agricultural Resource Overlay will help facilitate the County's various farmland protection goals identified in the Agriculture Chapter, and will help maintain scenic resources along the Interstate 80 corridor. The overlay will also assist the cities' existing agriculture, open space, and urban growth management efforts.

Related Plans, Programs, and Agencies

As mentioned previously, the cities in the county have engaged in plans and agreements to maintain land in open space and agricultural uses. These programs are described below.

Vacaville-Dixon Greenbelt

The Vacaville-Dixon Greenbelt Authority was established in 1995. The purpose of the greenbelt is to guarantee that certain lands located between the two cities remains an agricultural landscape in perpetuity. The greenbelt is implemented through acquisition from willing sellers and resale of the properties with a permanent conservation easement. A joint powers agreement ensures the preservation of the land.

Vacaville-Fairfield Greenbelt

Vacaville and Fairfield have adopted policies to create a community separator between the two cities. This area is governed by the Vacaville-Fairfield-Solano Greenbelt Authority. The aim of the separator is to establish a permanent, one-mile-wide, open space greenbelt that serves as a community separator, a setting for recreational activities, a buffer between agricultural and urban areas, and as an ultimate limit for urban growth.

Tri-City and County Cooperative Plan for Agriculture and Open Space Preservation

Benicia, Fairfield, Vallejo, and Solano County have jointly created the TriCity and County cooperative Planning Group which prepared and approved *the Tri-City and County Cooperative Plan for Agriculture and*

Open Space Preservation. The plan aims to create a physical and visual separation between the three involved cities. The plan was created in response to concerns of encroaching development, the loss of agricultural lands, and the diminishing separation between communities. The cities and County created policies and implementation programs that address these issues and support the protection of the planning area's agricultural, biological, and scenic resources.

Dixon-Davis Greenbelt

The cities of Dixon and Davis (Yolo County), the Solano Land Trust, and federal and state agencies have entered into a partnership with the goal of permanently protecting the prime farmlands and scenic resources of the area located between the two cities.

Vallejo-Benicia Separator

The cities of Vallejo and Benicia established by agreement a separator between these two cities. This area includes Benicia State Park and an open space corridor running north of Interstate 780 and Columbus Parkway.

Policies

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- RS.P-60: Work with cities to maintain open space separators around cities to preserve their identity and character.
 - RS.P-61: Retain rural character in areas between cities by promoting agricultural uses within community separators.
 - RS.P-62: Retain community separators of sufficient size to ensure the continued economic sustainability of areas in productive agricultural use.
 - RS.P-63: Encourage cities to maintain defined community separators in appropriate productive agricultural or open space use.

Implementation Programs

Regulations

-
- RS.I-64: Amend the Zoning Ordinance to implement the Agricultural Resource Overlay. This area is used to delineate those areas of special concern where agricultural lands are subject to the greatest development pressure. This overlay should be combined with a program to direct agricultural mitigation efforts toward these areas.

Related Policies: RS.P-60, RS.P-61, RS.P-63

Agency/Department: Department of Resource Management

Funding Source: General Fund

Time Frame: Amend by 2011, Ongoing

Coordination with Other Agencies and Organizations

RS.I-65: Participate with cities and special districts in establishing agreements that delineate community separators. Support agreements that are already in place. Existing agreements and programs include the following:

- Tri City/County Agriculture and Open Space program
- Vacaville-Fairfield Greenbelt
- Vacaville-Dixon Greenbelt
- Dixon-Davis Greenbelt
- Vallejo-Benicia Separator

Related Policy: RS.P-60

Agency/Department: Department of Resource Management; cities

Funding Source: General Fund

Time Frame: Ongoing

WATER RESOURCES AND QUALITY

Planning Context

Water is a resource of great importance to the County’s economy, its natural systems, and to residents’ quality of life. Solano County has diverse surface and groundwater resources. Appropriate management of these critical resources is achieved via three strategies: watershed protection, preservation and improvement of water quality, and efficient management of water supply and demand. Watershed protection involves safeguarding the recharge and filtering capacities of undisturbed natural areas. Water quality can be protected by incorporating low-impact development techniques and other best management practices into new development projects or by retrofitting the existing urban landscape. Using appropriate agricultural practices can also benefit water quality and aquatic ecosystems. As urban populations grow, balancing water supply and demand becomes increasingly important. Policies that address efficient water use at the residential, commercial,

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and municipal level can greatly improve the county's future water security.

Groundwater Resources

Before completion of the Solano Project in 1959, groundwater was extensively used in Solano County both for municipal supplies and for agriculture. The Solano Project refers to the water supply created by a federal dam project and stored in Lake Berryessa. One of the main reasons for the development of the Solano Project was to correct the groundwater overdraft occurring in some agricultural areas. Once the Solano Project started making agricultural water deliveries, groundwater levels rebounded. In general, the county's groundwater levels are stable, dropping in dry years, and rebounding in wet years. The Cities of Rio Vista and Dixon are still served exclusively with groundwater from basins under the cities. Vacaville gets approximately one-third of its municipal water supply from groundwater located under the city. Most of the growers within the Solano Irrigation District, Maine Prairie Water District, and Reclamation District No. 2068 use surface water. Growers outside of districts that provide surface water rely entirely on groundwater. Most rural residential landowners have individual shallow groundwater wells that serve their domestic needs. Some small rural residential water systems also distribute groundwater to their customers. Isolated concerns about groundwater supplies in the area north of Vacaville prompted the formation of the Rural North Vacaville Water District.

Surface Water Resources

Solano County has a variety of surface water resources including creeks, drainages, sloughs, marshes, and extensive infrastructure for delivering water for irrigation and municipal uses. Through the Solano Project, Putah Creek and Lake Berryessa provide the majority of the county's surface water for urban and agricultural consumption. The Suisun Marsh and other marshlands located along the Bay-Delta play an important role in maintaining and protecting water quality for human and natural communities. Intact riparian corridors are also important resources in the county for the protection of water quality in urban and rural areas. Even so, many of the county's water bodies have been identified by federal and state agencies as not meeting mandated water quality standards for total maximum daily loads (TMDLs) of certain pollutants. Of particular concern are the water bodies with high levels of pesticide (diazinon), Polychlorinated biphenyls (PCB), and mercury pollutants.

Numerous water-related issues face the County and its residents, farms, and businesses. Allocation of this scarce resource is at the heart of two important challenges facing the County. Providing adequate quantities of water to ensure the viability of endangered species and aquatic and riparian habitat will remain a crucial aspect of water management plans and operations. Of particular importance are the water transfers to the North Bay Aqueduct and the resulting impact on delta smelt and the Solano Water Project allocations for the maintenance of salmonid species in Putah Creek.

A second issue facing the County is the potential for decreased water availability for human consumption that may result from the previously discussed allocations for environmental enhancement and habitat protection. Reduced water supply could affect water supply reliability, which in turn could impact the County's ability to support proposed land uses. Many of the potential strategies to increase water supply in the county are tied to statewide water issues, where similar uncertainty and conflicts exist.

Other water related issues include improving water quality in the North Bay Aqueduct, modernizing Solano Water Project infrastructure, and improving water demand management estimates by coordinating the Solano County Water Agency's future plans with city and County general plan population projections.

Related Plans, Programs, and Agencies

Solano County Water Agency

Solano County Water Agency (SCWA) was established in 1951 to provide untreated water to water service agencies in Solano County from the federal Solano Project and the North Bay Aqueduct of the State Water Project. SCWA is responsible for delivering water to water service agencies and monitoring efforts to mitigate stormwater runoff. SCWA requires the cities in Solano County to adequately mitigate the impacts of stormwater runoff from development projects.

State Water Resources Control Board

The State Water Resources Control Board (SWRCB) was created by the California Legislature in 1967. The mission of the SWRCB is to ensure the highest reasonable quality for waters of the state, while allocating those waters to achieve the optimum balance of beneficial uses. The joint authority of water allocation and water quality protection enables the SWRCB to provide comprehensive protection for California's waters.

Nine regional water quality control boards work under the SWRCB to develop and enforce water quality objectives and implementation plans that will best protect the beneficial uses of the state's waters. Each RWQCB recognizes local differences in climate, topography, geology, and hydrology. Solano County is within the jurisdiction of the San Francisco Bay RWQCB and the Central Valley RWQCB.

Regional Water Quality Control Board

State water quality is regulated/administered by the SWRCB and its nine RWQCBs. Solano County is within the jurisdiction of the San Francisco Bay RWQCB and the Central Valley RWQCB. The state and RWQCBs also maintain independent regulatory authority over the placement of waste, including fill, into waters of the state under the Porter-Cologne Water Quality Control Act. See Figure PF-2 in Chapter 8 for a map of the RWQCBs.

Section 10 Rivers and Harbors Act of 1899

Section 10 of the Rivers and Harbors Act of 1899 requires authorization from the Secretary of the Army, acting through the U.S. Army Corps of Engineers, for the construction of any structure in or over any navigable water of the United States.

In general, activities regulated under Section 10 of the Rivers and Harbors Act are similar to Section 404 of the Clean Water Act, but the geographic extent of jurisdiction is much more restricted and is limited to identified navigable waters of the United States. In Solano County, navigable waters are limited to the current and historic (as of 1899) tidal channels in Suisun Bay, Suisun Marsh, the Delta, and the Sacramento River.

National Pollutant Discharge Elimination System

In 1972, the Clean Water Act was amended to make the discharge of pollutants to waters of the United States from any point source unlawful unless the discharge is in compliance with a National Pollutant Discharge Elimination System (NPDES) permit. In California, the Environmental Protection Agency delegates much of the implementation of the Clean Water Act to the SWRCB. NPDES permits cover industrial and municipal discharges, discharges from storm sewer systems in larger cities, stormwater associated with numerous kinds of industrial activity, runoff from construction sites, and developments disturbing more than 1 acre of soil, mining operations, and animal feedlots and agricultural facilities above certain thresholds. Permits require the preparation of a storm water pollution prevention plan. This is an operational plan that identifies and describes the best management practices to be implemented to reduce impacts on water quality and aquatic habitat.

Solano County's Storm Water Management Plan (SWMP) is consistent with NPDES requirements and procedures. The SWMP establishes a process for the review of development site plans to address long-term water quality issues and impacts associated with the proposed land uses following construction.

Wastewater discharges from wastewater treatment plants are also required to have an NPDES permit. The findings of the NPDES permit process provide information about recommended treatment plant design and operations, beneficial uses to be protected, and applicable standards.

Federal Clean Water Act

The federal Clean Water Act, administered by the Environmental Protection Agency, employs a variety of regulatory and nonregulatory tools to reduce pollutant discharges into waterways, finance municipal wastewater treatment facilities, and manage polluted runoff. These tools are employed to achieve a broader goal of restoring and maintaining the chemical, physical, and biological integrity of the nation's waters so that

they can support the protection and propagation of fish, shellfish, and wildlife.

Section 401 of the Clean Water Act requires an applicant to obtain certification for any activity that may result in a discharge of a pollutant into waters of the United States. The RWQCB also plays a role in review of water quality and wetland issues, including avoidance and minimization of impacts. Solano County is within the jurisdiction of the San Francisco Bay RWQCB and Central Valley RWQCB.

Under Section 404 of the Clean Water Act, the U.S. Army Corps of Engineers has jurisdiction over wetlands and waters of the United States. Permitting of activities that could discharge fill or dredge materials or otherwise adversely modify wetlands or other waters of the United States and associated habitat is required. Permits authorized by the U.S. Army Corps of Engineers under the act typically involve mitigation to offset unavoidable impacts on wetlands and other waters of the United States in a manner that achieves no net loss of wetland acres or values.

Section 303(d) of the Clean Water Act requires states to develop lists of water bodies (or segments of water bodies) that will not attain water quality standards after implementation of minimum required levels of treatment by point source dischargers (e.g., municipalities and industries). Section 303(d) requires states to develop TMDL for each of the listed pollutants and water bodies. A TMDL is the amount of loading that the water body can receive and still meet water quality standards.

Urban Water Management Planning Act (Senate Bill 318)

Each urban water supplier in California is required to prepare an Urban Water Management Plan (UWMP) and update the plan on or before December 31 in years ending in 5 and 0, pursuant to California Water Code Sections 10610–10657.

Amendments to SB 318 have focused on ensuring that the UWMP emphasizes and addresses drought contingency planning, water demand management, reclamation, and groundwater resources. Under the current law, all urban water suppliers with more than 3,000 service connections or water use of more than 3,000 acre-feet per year are required to submit a UWMP to the California Department of Water Resources every 5 years.

Senate Bill 610

SB 610 became active January 1, 2002. The purpose of SB 610 is to strengthen the process by which local agencies determine whether current and future water supplies are adequate and sufficient to meet current and future demand. SB 610 amended the California Public Resources Code to incorporate Water Code requirements within the CEQA process for certain types of projects. SB 610 also amended the Water Code to broaden the types of information included in an UWMP (Water Code Section 10610 et seq.).

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Water Code Part 2.10

Water Code Part 2.10 clarifies the roles and responsibilities of the lead agency under CEQA and the water supplier (i.e., the public water system) with respect to describing current and future supplies compared to current and future demand. It also defines the projects for which a water supply assessment (WSA) must be prepared as well as the responsibilities of the lead agency related to the WSA. A WSA is required for:

- proposed residential developments of more than 500 dwelling units;
- proposed shopping centers or business establishments employing more than 1,000 persons or having more than 500,000 square feet of floor space;
- proposed commercial office buildings employing more than 1,000 persons or having more than 250,000 square feet of floor space;
- proposed hotels or motels, or both, having more than 500 rooms;
- proposed industrial, manufacturing, or processing plants, or industrial parks planned to house more than 1,000 persons, occupying more than 40 acres of land, or having more than 650,000 square feet of floor area;
- mixed-use developments that include one or more of the uses described above;
- developments that would demand an amount of water equivalent to or greater than the amount of water required by a 500-dwelling-unit project; and
- for lead agencies with fewer than 5,000 water service connections, any new developments that will increase the number of water service connections in the service area by 10 percent or more.

Under Part 2.10, the lead agency must identify the affected water supplier and ask the supplier whether the new demand associated with the project is included in the supplier's UWMP. If the UWMP includes the demand, it may be incorporated by reference in the WSA (Water Code Section 10910[c][2]). If no public water system exists to serve the project, the lead agency must prepare the WSA itself (Water Code Section 10910[b]).

Senate Bill 221

SB 221 requires a county or city to include, as a condition of approval of any tentative map, parcel map, or development agreement for certain

residential subdivisions, a requirement that a “sufficient water supply” be available. Proof of a sufficient water supply must be based on a written verification from the public water system that would serve the development.

Policies

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- RS.P-64: Identify, promote, and seek funding for the evaluation and remediation of water resource or water quality problems through a watershed management approach. Work with the regional water quality control board, watershed-focused groups, and stakeholders in the collection, evaluation and use of watershed-specific water resource information.

 - RS.P-65: Require the protection of natural water courses.

 - RS.P-66: Together with the Solano County Water Agency, monitor and manage the county’s groundwater supplies.

 - RS.P-67: Encourage new groundwater recharge opportunities.

 - RS.P-68: Protect existing open spaces, natural habitat, floodplains, and wetland areas that serve as groundwater recharge areas.

 - RS.P-69: Preserve and maintain watershed areas characterized by slope instability, undevelopable steep slopes, high soil erosion potential, and extreme fire hazards in agricultural use. Watershed areas lacking water and public services should also be kept in agricultural use.

 - RS.P-70: Protect land surrounding valuable water sources, evaluate watersheds, and preserve open space lands to protect and improve groundwater quality, reduce polluted surface runoff, and minimize erosion.

 - RS.P-71: Ensure that land use activities and development occur in a manner that minimizes the impact of earth disturbance, erosion, and surface runoff pollutants on water quality.

 - RS.P-72: Preserve riparian vegetation along county waterways to maintain water quality.

 - RS.P-73: Use watershed planning approaches to resolve water quality problems. Use a comprehensive stormwater management program to limit the quantity and increase the water quality of runoff flowing to the county’s streams and rivers.

 - RS.P-74: Identify naturally occurring and human-caused contaminants in groundwater in new development

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projects and develop methods to limit and control contaminants. Work with RWQCB to educate the public on evaluating the quality of groundwater.

RS.P-75: Require and provide incentives for site plan elements (such as permeable pavement, swales, and filter strips) that limit runoff and increase infiltration and groundwater recharge.

RS.P-76: Promote sustainable management and efficient use of agricultural water resources.

Implementation Programs

Regulations

RS.I-66: Establish development standards that maximize retention of runoff and regulate development to avoid pollution of storm water, water bodies, and groundwater.

Related Policies: RS.P-71, RS.P-73, RS.P-74, RS.P-75

Agency/Department: Department of Resource Management

Funding Source: General Fund

Time Frame: By 2011

RS.I-67: Develop an ordinance that establishes a riparian buffer to protect water quality and ecosystem function. The minimum buffer width shall be determined according to existing parcel size. For parcels more than 2 acres in size, a minimum 150-foot development setback shall be provided. For parcels of 0.5–2.0 acres, a minimum 50-foot setback shall be provided. For parcels less than 0.5 acre a minimum 20-foot setback shall be provided. Exceptions to these development setbacks apply to parcels where a parcel is entirely within the riparian buffer setback or development on the parcel entirely outside of the setback is infeasible or would have greater impacts on water quality and wildlife habitat.

Related Policies: RS.P-68, RS.P-70, RS.P-72

Agency/Department: Department of Resource Management

Funding Source: General Fund

Time Frame: By 2011

Funding, Physical Improvements, and Capital Projects

RS.I-68: Seek funding opportunities for collaborative watershed planning approaches to water quantity and quality enhancement and protection, where such an approach is the desired method of accomplishing the program objectives.

Related Policies: RS.P-67, RS.P-68, RS.P-69, RS.P-70

Agency/Department: Department of Resource Management

Funding Source: General Fund

Time Frame: Ongoing

RS.I-69: Protect natural watercourses through acquisition or dedication of adjacent land in fee or less than fee title during the process of reviewing and approving land development proposals.

Related Policy: RS.P-65

Agency/Department: Department of Resource Management

Funding Source: Project Applicant

Time Frame: Ongoing

RS.I-70: Require site plan elements to limit runoff from new development. These measures might include reduced pavement or site coverage, permeable pavement, vegetation that retains and filters stormwater, and/or drainage features. Limit the construction of extensive impermeable surfaces and promote the use of permeable materials for surfaces such as driveways, streets, parking lots, and sidewalks.

Related Policies: RS.P-73, RS.P-74, RS.P-75

Agency/Department: Department of Resource Management

Funding Source: Project Applicant

Time Frame: Ongoing

RS.I-71: Require proposed projects located within the Putah Creek and Ulatis Creek watersheds to minimize project-related stormwater runoff and pollution. Stormwater runoff and pollution loads resulting after development of projects shall not exceed predevelopment conditions.

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Related Policies: RS.P-1, RS.P-72
Agency/Department: Department of Resource Management
Funding Source: Project Applicant
Time Frame: Ongoing

Ongoing Planning Efforts, Public Outreach and Education

RS.I-72: Seek and secure funding sources for development of countywide water quality assessment, monitoring, remedial and corrective action, awareness/education programs. Provide technical assistance to minimize stormwater pollution, support RWQCB requirements, and manage related County programs. Consider future use of desalinization to supplement water supplies.

Related Policy: RS.P-64
Agency/Department: Department of Resource Management; SCWA; State Water Resources Control Board; Department of Water Resources; California Department of Health Services; the California Environmental Protection Agency; the U.S. Bureau of Land Management; U.S. Bureau of Reclamation; and applicable federal, County, and city agencies
Funding Source: General Fund
Time Frame: Ongoing

RS.I-73: Develop a public education and technical assistance program that provides property owners, applicants, and the general public with information regarding stormwater pollution, efficient water use, public water supplies, water conservation and reuse, and groundwater.

Related Policy: RS.P-75
Agency/Department: Department of Resource Management; Solano County Water Agency; Resource Conservation Districts
Funding Source: General Fund
Time Frame: Ongoing

RS.I-74: Continue to require best management land use practices in the Barker Slough watershed.

Related Policy: RS.P-73

Agency/Department: Department of Resource Management

Funding Source: General Fund

Time Frame: Ongoing

RS.I-75: Together with the SCWA and the cities, create and maintain a comprehensive database of information regarding groundwater supply and quality. Seek funding to complete a countywide groundwater study that fills the gaps among aquifer-specific studies. Coordinate with the SCWA to get more information on its groundwater study and subsequent groundwater management programs.

Related Policy: RS.P-66

Agency/Department: Department of Resource Management; SCWA; Cities

Funding Source: General Fund

Time Frame: Ongoing

RS.I-76: Inform the public about practices and programs to minimize water pollution and provide educational and technical assistance to farmers and landowners to reduce sedimentation and increase on-site retention and recharge of storm water.

Related Policy: RS.P-74

Agency/Department: Department of Resource Management; Solano County Water Agency; Resource Conservation Districts

Funding Source: General Fund

Time Frame: Ongoing

Coordination with Other Agencies and Organizations

RS.I-77: Coordinate with federal and state agencies to monitor the extent of endocrine disruptor pollutants (synthetic compounds that mimic certain hormones and effect body functions such as immune and reproductive system) in the county's water supply and water bodies. Create an action plan to reduce

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such pollutants, if pollutants are found to exist at unacceptable levels.

Related Policies: RS.P-64, RS.P-66

Agency/Department: Department of Resource Management

Funding Source: General Fund

Time Frame: Ongoing

RS.I-78: Explore a cooperative city/County program to compensate farmers and/or landowners to preserve farmland for watershed preservation and maintenance.

Related Policies: RS.P-68, RS.P-69, RS.P-70

Agency/Department: Department of Resource Management; Solano County Water Agency; Cities

Funding Source: General Fund

Time Frame: Ongoing

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EXHIBIT D – Cache Slough Location and Ecosystem Restoration Projects

