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Conduct a noticed public hearing, to consider and make a recommendation to the Board of Supervisors regarding Major **Subdivision Application No. S-21-01 (Wagner)** for the **Middle Green Valley Specific Plan. The application proposes a Large Lot Tentative Subdivision Map** to divide 410.9 acres into 27 separate parcels, and a subsequent **Small Lot Tentative Subdivision Map** to divide 137.2 acres into 322 separate residential parcels and multiple additional parcels for right-of-way, parks and open space, Village Green, Community Service uses, and stormwater detention areas. The property is located near the intersection of Green Valley and Mason Road, within the unincorporated portion of Solano County, north of the City of Fairfield. The property is designated "Specific Project Area" in the General Plan. The property is located within the Middle Green Valley Specific Plan and contains multiple zoning districts that allow a range of land uses, including residential, agriculture, open lands and agritourism. The California Environmental Quality Act (CEQA) provides that residential Projects which are consistent with an approved Specific Plan for which an EIR was prepared are exempt from a requirement to prepare additional environmental analysis. Pursuant to the California Environmental Quality Act, the subdivision is consistent with the Middle Green Valley Specific Plan and is within the scope of the certified Middle Green Valley Specific Plan Program EIR, which adequately describes the activity for purposes of CEQA, and no new environmental document is required.

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

RECOMMENDATION:

The Department of Resource Management recommends that the Planning Commission conduct a public hearing to consider the Middle Green Valley Specific Plan (MGVSP) Large Lot and Small Lot Tentative Map Major Subdivision Application, S-21-01 and forward a recommendation of approval to the Board of Supervisors to adopt resolutions for the Tentative Maps.

EXECUTIVE SUMMARY:

The MGVSP was adopted in August 2017 and was amended in August 2021 and is comprised of approximately 1,900 acres north of the City of Fairfield city limits, near Green Valley and Mason Roads (Attachment J). The goal of the MGVSP is to provide a comprehensively planned high quality residential development of varying densities, that honors and protects the ongoing agricultural activities and rural feel of the area. The MGVSP provides for development of up to 390 residential units, some neighborhood commercial uses and ongoing agricultural uses in the area. Agricultural conservation easements required by the MGVSP ensure that agricultural uses continue in perpetuity. The MGVSP also provides unique detailed design guidelines and development standards to accomplish its goal.

The application being considered by the Planning Commission includes two specific entitlements consistent with the goals of the MGVSP: a Large Lot Tentative Subdivision Map (Large Lot Map) and a Small Lot Tentative Subdivision Map (Small Lot Map). The Large Lot Subdivision Map subdivides a portion of the property into 27 large lots, for the purpose of sale and financing only. The Large Lot Map creates parcels for public parks, creates rights-of-way for streets, and parcels for future development purposes through the Small Lots Map.

The Small Lot Map proposes the creation of 322 residential lots and will serve as the basis for design and construction of the future homes, infrastructure, open space, and other aspects of the project, including transition to the agricultural conserved areas. No specific development is requested at this time, and it is expected that a home developer would acquire the project in future to construct the actual development. Two main neighborhoods are planned in the Small Lot Subdivision Map: the Elkhorn Neighborhood, generally located west of Mason Road, and the Nightingale Neighborhood, located south of Mason Road and northwest of Reservoir Lane. The Nightingale Neighborhood, located on the valley floor, provides a transition to the agricultural uses of the project. The Elkhorn neighborhood will include 200 homes and the Nightingale Neighborhood will have 112 homes. A smaller neighborhood, Three Creeks, is located north of the larger Elkhorn Neighborhood along Mason Rd. This application proposes six lots in Three Creeks.

Additionally, ten lots would also be created in the project area. The potential for approximately 68 additional residential lots exists outside the proposed Small Lot Map boundary and may be considered in the future under separate subdivision applications that are consistent with the adopted and amended MGVSF.

PROPERTY INFORMATION:

A. Applicant:

Charity Wagner
Wagner Enterprises LLC
148 Madison Avenue
San Rafael CA 94903

B. General Plan Land Use Designation/Zoning:

General Plan: Special Study Area

Zoning: Various zones identified in the Middle Green Valley Specific Plan including Conservation, Agriculture, Rural Residential and Neighborhood Uses (T1, T2, T3, T4, T5 and T6).

C. Existing Use: Agricultural and Rural Residential

ANALYSIS:

Environmental Setting

Approximately 1,490 acres (about 78 percent) of the Specific Plan area is designated as permanent open land, of which approximately 440 acres would be preserved as working agriculture. The remainder of the planning area (approximately 415 acres or about 22 percent) is designated for development in a "*neighborhood framework*," with each of four proposed neighborhood areas having a designated informal pattern of rural roads, residential building types, and community buildings. Two main neighborhoods are the subject of the Small Lot Map including the Elkhorn and Nightingale neighborhoods.

Green Valley Creek traverses the site on the east and Hennessey Creek is located to the west.

A. Project Description

Large Lot Tentative Subdivision Map (Large Lot Map)

The first component of the Applicant's proposal is a Large Lot Tentative Subdivision Map to subdivide large lot parcels to create 27 large lots as shown on Attachment B. The purpose of the Large Lot Map is to create parcels to sell or transfer to developers for future subdivision and is not intended to include improvement plans or development. Access easements are included as necessary to ensure every parcel created has access and is not land locked.

Small Lot Tentative Subdivision Map (Small Lot Map)

The Small Lot Map layout is shown as Attachment C. The Project provides for a variety of home types on varying lot sizes consistent with the MGVSP. For example, courtyard homes will be zero lot line homes clustered around courtyards. Bungalows are smaller single-family homes. Farmsteads are envisioned to be larger single-family detached homes that provide a transition to the larger agricultural uses and reinforce the rural character of the area. A full description of each of the residential housing types can be found in Chapter 5.4 of the MGVSP ([Solano County - Middle Green Valley Specific Plan](#)). Specific to the project, the Elkhorn Neighborhood will include 76 smaller lot courtyard homes, 89 bungalows and 35 farmstead homes as shown in the attached Residential Land Use Table in Attachment I.

The Nightingale Neighborhood will have 70 bungalow homes and 42 farmstead homes. A unique feature of this neighborhood is that the street system is designed around several village greens that will provide a focal point, open space, and areas for walking/gathering in the neighborhood.

No specific design is proposed at this time. It is envisioned home builder(s) will develop the Project in the future. At the time specific development is proposed, the design of the units will be subject to the design standards outlined in the MGVSP and will be subject to approval by the County and Middle Green Valley Conservancy Design Review Committee.

The lot sizes generally range from 4,000 square feet to 13,000 square feet in the subdivision, with some parcels in the farmstead areas being as large as 49,000 square feet. In addition, four large parcels will be created along the Green Valley corridor and six parcels in the Three Creeks neighborhood will be created including two parcels greater than five-acres, as well as a four-unit subdivision on an unnamed court off of Mason Road.

Access

The MGVSP includes a unique set of standards specific to the project including roadway cross sections. The subdivision uses public and private street right-of-way dimensions, including an internal roadway system with pedestrian pathways consistent with the MGVSP.

Primary access to the site will be from two roadways off Green Valley Road. Roadway improvements will include roundabouts at a southerly access road and Mason Road. The southerly access Road will be aligned to cross Green Valley Creek (parallel to existing Reservoir Lane) and avoid an existing U.S Bureau of Reclamation easement. Reservoir Lane will remain but will dead end within the project area. Another internal roundabout is proposed in the Nightingale neighborhood at the entrance to the subdivision where streets A and Q intersect.

Street names for the internal streets have not been identified at this time. As a condition of approval, the Director of Resource Management shall approve all street names prior to approval of the Final Maps

The upper area of the Project area (Three Creeks neighborhood) is within the State Responsibility Area (SRA) for wildfires. Street widths will be required to meet the State of California Department of Forestry (Section 4290 of the Public Resources Code) minimum requirements for fire access within the SRA.

Improvements

Standards for all improvements will be based on a hierarchical approach as detailed in the Small Lot Map Condition 1H. In summary, improvements will be based on standards contained in the MGVSF or Development Agreement, and if none then will be based on standards from the County or if no county standard, standards from the City of Fairfield. State Responsibility Area standards will govern those roads located in the SRA. Finally, public utilities must also meet the requirements of the specific agency providing the service. This approach will ensure that an appropriate standard and design is in place for all improvements.

Water Supply

There are multiple options for supplying water to the site which were analyzed in the EIR. Currently Solano Irrigation District (SID) provides agricultural water to the area. Both the Solano Irrigation District (SID) and the City of Vallejo have stated that they can serve the project with potable water. The Applicant has not selected a water provider at this time. Therefore, Condition No. 5 requires that a water provider be selected, and a master water plan be prepared, prior to the recording of the Final Small Lot Map. Condition #5 of the Small Lot Map also contain the specific requirements provided by each potential water purveyor that will need to be met once the selection is made by the applicant/subdivider. Further, the Project will be subject to the Development Agreement that is in place between Solano County and the landowners, which runs with the land, and ensures that all future owners must work together to install all improvements, including water.

The City of Vallejo has an existing water line that will need to be realigned regardless of the water purveyor selected because it runs through the middle of the Project area. This line would be relocated in Mason Road.

Sewer Service

Sewer services to the site would be provided by the Fairfield-Suisun Sewer District (FSSD). However, FSSD has indicated that they do not provide services for in-tract improvements for sewer lines under 12-inches in size. Lines within the Project would be 8-10-inches; therefore, it is proposed that the applicant's proposed Homeowners' Association will maintain the sewer lines. Conditions No. 6 and 7 sets up a mechanism to ensure that sewer service to the Project is maintained by the HOA. Condition No. 3 requires that a dormant Community Facilities District (CFD) be established in the event that the Master HOA is rescinded or abolished in the future, and therefore unable to maintain the sewer system.

Storm Water/Drainage Facilities

Parcel 20 is a 9.9-acre parcel proposed as a stormwater detention basin located on the northeast corner of Reservoir Lane and Street A. The Project is designed to ensure that pre- and post-construction flows are maintained. A Stormwater Master Plan will be required prior to the filing of the first Final Small Lot Map. A water quality basin is located immediately adjacent to the stormwater basin.

Bypass Channel – Ponding Easement

The City of Fairfield has an easement over a portion of the project to allow for inundation due to storm runoff from Hennessey Creek (i.e. Pooling and Ponding Easement (PPE)). The PPE affects portions of Lots 2, 20, and 21 on the Large Lot Tentative Map. In accordance with Fairfield's Agreement with the property owner, this PPE would be relinquished in favor of a Facilities Easement to provide for the construction, operation and maintenance of a siltation basin in the future if such a facility can receive the environmental and other permits required for construction.

Portions of Street "A" and the Water Quality Detention basin on the Small Lot Tentative lie within the PPE but are outside of the Facilities Easement. The applicant is aware of Fairfield's easement and has met with the City of Fairfield to discuss the completion of the permitting and construction of the siltation basin. The applicant has expressed willingness to cooperate with Fairfield towards the completion of the siltation basin. Staff has conditioned the project to proceed with one of two alternatives depending upon the status of construction of the siltation basin.

Condition No. 8. C. requires that the Applicant either a) modify the existing PPE so that the proposed Street A improvements do not conflict with the easement or b) modify the project and proposed Street A roadway alignment to avoid the easement limits. The Applicant has provided an exhibit showing that the roadway alignment can be situated to avoid the easement (see Attachment G).

Phasing

A phasing plan, Attachment D, has been developed which is intended to ensure all backbone infrastructure is developed and available to adequately serve each phase. In summary:

Phase 1 includes construction of the two roundabouts on Green Valley Road. Roadway improvements to Mason Road and construction of the southern access road (including creek crossing) and all internal roadways serving the Nightingale neighborhood. All utilities (sewer, water, storm drain and dry utilities) will be constructed within the southern access road, Middle Green Valley Road, Mason Road and the detention basin and creek outfall would be required.

Phase 2 includes construction of the roadways to serve the Elkhorn neighborhood and the four lots in the Green Valley Corridor neighborhood, including improvements to Mason Road. All internal roadways serving the Elkhorn neighborhood are included in this phase. All utilities (sewer, water, storm drain and dry utilities) will be constructed within the Elkhorn neighborhood roads, Green Valley Corridor roads, Mason Road, and the connection access road that connects the Nightingale and Elkhorn neighborhoods. The existing Vallejo water line is relocated in this phase.

Phase 3 includes construction of roadways to serve the four lots in the Three Creeks neighborhood, including reconstruction and improvements to Mason Road (north of Elkhorn). All utilities (sewer, water, storm drain and dry utilities) will be constructed within Mason Road and the Three Creeks internal roads to serve the proposed Three Creeks lots.

Phase 4 is a limited phase as it only includes the extension of Mason Road and development of two 5-acre parcels.

Financing Plan

Infrastructure will be required to extend utilities and roadways to the site. The Applicant has prepared a preliminary financing Plan (Attachment E). County obligations for maintenance includes public roadways. Private roads, alleys, shared driveways, landscaping, open space, lighting and trails will not be the responsibility of the County and will be maintained by a Homeowners Association. Community Facility Districts (CFDs) may be formed to help fund costs or serve as a backstop for the HOA.

Agriculture Conservation Easements

Conservation of the open lands within the Specific Plan area and support of ongoing agricultural uses are main components of the Specific Plan. Condition No.12.M, will require that conservation easements be acquired consistent with the Development Agreement. Build out of the subdivision cannot occur unless these conservation easements are put in place. This will ensure that agricultural uses are protected in perpetuity.

B. General Plan and Zoning Consistency

The subject site is designated as “Specific Project Area” on the County’s General Plan Land Use Diagram, and the Middle Green Valley Specific Plan was developed and adopted consistent with the General Plan. The subdivision maps would create parcels consistent with the land uses identified in the Middle Green Valley Specific Plan including residential, commercial services, community services, agriculture and open space and is therefore, consistent.

C. Agency Review

As part of the Department of Resource Management development review process, the application materials have been reviewed by various County Departments, as well as Local and Regional Agencies. The following entities may have jurisdiction over the project:

Local Agencies

City of Fairfield
City of Vallejo
Solano County
Solano Irrigation District
Cordelia Fire Protection District
Fairfield-Suisun Sewer District

Regional and State Agencies

Bay Area Air Quality Management District
San Francisco Bay Water Quality Control Board
CalFire

The Green Valley Agricultural Conservancy and the Green Valley Landowners Association have submitted letter in support of the proposed amendments (attached).

ENVIRONMENTAL ANALYSIS:

Several previous environmental documents have been prepared in relation to the MGVSP. The documents are available for review online:

- Recirculated Draft (June 2016) and Final EIR (August 2017) for Middle Green Valley Specific Plan EIR and other supporting documents are available online at [Solano County - Middle Green Valley Specific Plan that can be found at \(https://www.solanocounty.com/depts/rm/planning/middle_green_valley_specific_plan.asp\)](https://www.solanocounty.com/depts/rm/planning/middle_green_valley_specific_plan.asp)

The applicant submitted an environmental checklist documenting that there are no new impacts from implementing the tentative maps.

CEQA Guidelines section 15168 (c) (2) provides specific criteria to determine whether a subsequent EIR would be needed, and that the agency can approve the activity as being within the scope of the project covered by the program EIR, and that no new environmental document would be required. The County has reviewed the analysis and concurs that the Project is exempt

from additional environmental review as provided in CEQA Guidelines 15168 (c). The proposal does not result in new significant impacts and no additional environmental review is required.

The Applicant will be required, as part of the conditions of approval (No. 12. D) for the Project, to comply with each of the mitigation measures outlined in the Mitigation Monitoring and Reporting Program (MMRP). This includes sensitive species pre-construction surveys, tree mitigation, and securing any necessary regulatory permits (Army Corps 404 Permit for wetlands, Streambed Alteration Agreement from the California Department of Fish and Wildlife for impacts to creek crossings etc.).

Conditions of Approval

Conditions of approval have been prepared for both the Large Lot Tentative Map and Small Lot Tentative Map. The conditions are included as an Exhibit to the attached resolution (Attachment A).

FINDINGS

The following findings must be made consistent with the Subdivision Ordinance:

1. *The proposed map is consistent with applicable general and specific plans as specified in Section 65451 of the Government Code.*

The primary goal of the General Plan for this area is to maintain the rural character of Middle Green Valley while allowing opportunities for compatible residential development in accordance with the General Plan's goals and policies. The General Plan directs that land use tools, such as clustering and transfers of development rights are to be utilized to limit the effects of residential development on the rural character of the valley, including protection of the existing viewsheds, wildlife habitat, and agricultural activities.

The Tentative Maps have been designed to cluster development and provide for the long term ongoing agricultural uses within the Project boundaries consistent with the General Plan and the land uses outlined in the Middle Green Specific Plan. The transportation system is also consistent with the Specific Plan. As part of the Conditions of Approval, conservation easements will be recorded consistent with the Development Agreement to ensure agricultural uses in perpetuity.

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

The proposed lots are of sufficient size and shape to continue to accommodate residential development, commercial services and agricultural operations on-site consistent with the General Plan and the Middle Green Valley Specific Plan.

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

The Middle Green Valley Specific Plan has been approved by the County and technical studies including the Final Environmental Impact Report and geotechnical studies have been completed that verify that the proposed subdivision is suitable for the proposed type of development.

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

The proposed subdivision is consistent with the lotting pattern identified in the Middle Green Specific Plan.

5. *The design of the subdivision is not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.*

The subdivision does not involve any new changes to the existing setting, not previously described and therefore does not include any new environmental impacts not previously identified in the Middle Green Environmental Impact Report. The Project will be required to implement mitigation measures identified in the Mitigation Monitoring and Reporting Program as required in Condition No.12. D.

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

The subdivision will not cause serious health problems. Adequate transportation access and utilities will be provided.

7. *The design of the subdivision and the type of improvements will not conflict with any public easements.*

Any improvements resulting from the subdivision will be installed consistent with the easements. As indicated as part of the Project, the Vallejo water line will be relocated. In addition, as documented in Condition NO. 8 C. the project will be designed to accommodate the Bypass Channel, or the project would be redesigned to avoid the easement.

8. *The discharge of waste from the proposed subdivision into an existing community sewer system would not result in, or add to, a violation of existing requirements prescribed by a California Regional Water Quality Control Board pursuant to Division 7 (Commencing with Section 13000) of the Water Code.).*

As part of the Project, sewer service will be extended from the FSSD and will be designed consistent with the State water quality requirements.

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

The subdivision does not involve hazardous waste.

10. *The proposed subdivision is not located within a special studies zone established pursuant to the Alquist-Priolo Special Studies Zone Act (Public Resources Code Section 2621 et seq.) and is in accordance with the policies and criteria established by the State Mining and Geology Board pursuant to that Act*

Geotechnical studies performed on the site identified an earthquake fault trace. As a result, the Specific Plan was amended in the fall of 2021 to avoid that area. The subdivision maps are consistent with the studies and do not propose development within an Alquist-Priolo Special Studies Zone.

ATTACHMENTS:

- A Draft Planning Commission Resolution
- B Large Lot Tentative Map

- C Small Lot Tentative Map
- D Phasing Plan
- E Preliminary Financing Plan
- F Letters from the Green Valley Landowners Association and Green Valley Agricultural Conservancy
- G Realigned Roadway
- H Proposed Residential Land Use Table
- I Lands to be Conserved in Project Area
- J Vicinity Map