

SOLANO COUNTY ZONING ADMINISTRATOR
Lot Line Adjustment LLA-14-02
Certificate of Compliance CC-14-05

Application: LLA-14-02/CC-14-05 (Yeakey)
Project Planner: Nedzlene Ferrario

Meeting of February 5 , 2015
Agenda Item No. 1

PROJECT DESCRIPTION

Request for Zoning Administrator approval to reconfigure property lines between 2 legal lots totaling 46.9 acres in the W-160 zone. The assessor's parcel number for the property is 0147-010-060. Access for the lots is through the Coombs Valley area, Napa County. The property is currently vacant. .

Proposed Parcel	Existing Acreage	Proposed Acreage
Parcel 1	43.2	27.0 acres
Parcel 2	4.2	19.9 acres

EXISTING LAND USE: Vacant
GENERAL PLAN: Watershed
ZONING: Watershed 160 acre minimum
AGRICULTURAL PRESERVE: Not under contract.

SITE DESCRIPTION

The subject site is located along Wild Horse Valley Road, approximately 7 miles northwest of the City of Fairfield. The undeveloped 46.9 acre property consists of rolling hills with vegetation consisting primarily of trees and brush.

ANALYSIS

General Plan, Zoning Consistency and Subdivision Ordinance

Approval of the lot line adjustment requires compliance with the General Plan, Zoning and Subdivision Ordinance. Figure LU-1 of the Solano County General Plan designates the affected parcels as Watershed. The subject properties are located within the Watershed 160 acre minimum parcel size (W-160) zoning district.

Section 26-43 of the County Subdivision Ordinance requires that the adjustment be consistent with applicable building ordinances, and that either (1) all of the resulting lots will conform to all applicable zoning requirements, or (2) no conforming lot will be made nonconforming with applicable zoning requirements and the adjustment will not reduce the aggregate area of all affected lots which do not meet the minimum area requirements of their zoning designations.

The existing parcels are currently legal non-conforming and the proposed property transfer will allow the properties to remain non-conforming. More than adequate space is available for future development to satisfy zoning setbacks.

With regard to water supply, Environmental Health staff indicated that the property is developed with two water wells under permit W2014-0125. However, soil testing for future septic systems is not available at this time and Environmental Health staff recommends that soil testing for both parcels shall be performed prior to issuance of a building permit.

ENVIRONMENTAL DETERMINATION

Lot line adjustments are ministerial actions; and therefore, exempt from the provisions of CEQA per CEQA Section 21080 (b)(1).

MANDATORY FINDINGS

- 1. The adjustment is consistent with applicable building ordinances and no conforming lot will be made nonconforming with applicable zoning requirements, and the adjustment will not reduce the aggregate area of all affected lots which do not meet the minimum area requirements of their zoning designations, pursuant to Section 66412(d) of the Subdivision Map Act.**

No structures are proposed as part of this application and no conforming lot will be made nonconforming in terms of minimum parcel size under zoning.

- 2. Approval of the lot line adjustment will not create a greater number of parcels than originally existed.**

The lot line adjustment reconfigures 2 existing legal parcels and will not result in additional lots.

- 3. A letter signed by the Solano County Tax Collector, stating that there are no liens against the properties or any part thereof for unpaid State, County, municipal or local taxes or special assessments collected as taxes, except taxes or special assessments not yet payable, and stating that security has been filed with the Clerk of the Board of Supervisors for the estimated taxes which are a lien on the property but not yet payable for taxes and special assessments, and stating that security satisfy the requirements of Section 66493 of the Subdivision Map Act will be provided.**

A signed Tax Collector's Certificate shall be obtained from the Tax Collector. This document shall be submitted to the Department of Resource Management prior to recordation of the Certificate of Compliance.

SUGGESTED FINDINGS

- 4. The requirements of CEQA do not apply, as the project is considered ministerial in nature [Section 21080 (b) (1)].**

Lot line adjustments are ministerial projects, and therefore are not held to the provisions and requirements of CEQA.

RECOMMENDATION:

Staff recommends that the Zoning Administrator **ADOPT** the attached resolution with respect to the mandatory and suggested findings and **APPROVE** Lot line adjustment No. LLA-14-02 subject to the recommend conditions of approval incorporated herein.

CONDITIONS OF APPROVAL:

1. The lot line adjustment shall be in substantial compliance with the map submitted with lot line adjustment application LLA-14-02, dated September 16, 2014 prepared by Albion surveys, on file with the Planning Services Division.
2. Upon approval of the Lot Line Adjustment, the Planning Services Division shall prepare the Certificate of Compliance. The Certificate of Compliance demonstrating that the subject lot line has been adjusted according to State and County regulations shall be recorded by the applicant concurrently with the deeds and legal descriptions, subject to the satisfaction of the Planning Services Division.

Recordation of the Certificate of Compliance shall be withheld by this division until the following requirements of this approval have been satisfactorily completed.

- a. Submit to the Planning Services Division written legal descriptions of the parcels as adjusted, prepared by a registered land surveyor or civil engineer licensed to survey in the State of California., Each page of the legal description must be signed and sealed by the professional preparing the descriptions.
 - b. Obtain a signed Tax Collector's Certificate from the Tax Collector. This document shall be submitted to the Planning Services Division prior to recordation of the Certificate of Compliance.
3. Prior to issuance of a building permit, demonstrate that suitable soils exist by conducting and submitting soils testing to the Department of Resource Management. The site soil testing shall be performed in order to designate an areas for leachfield construction and to designate a 100% leachfield reserve area for each lot.

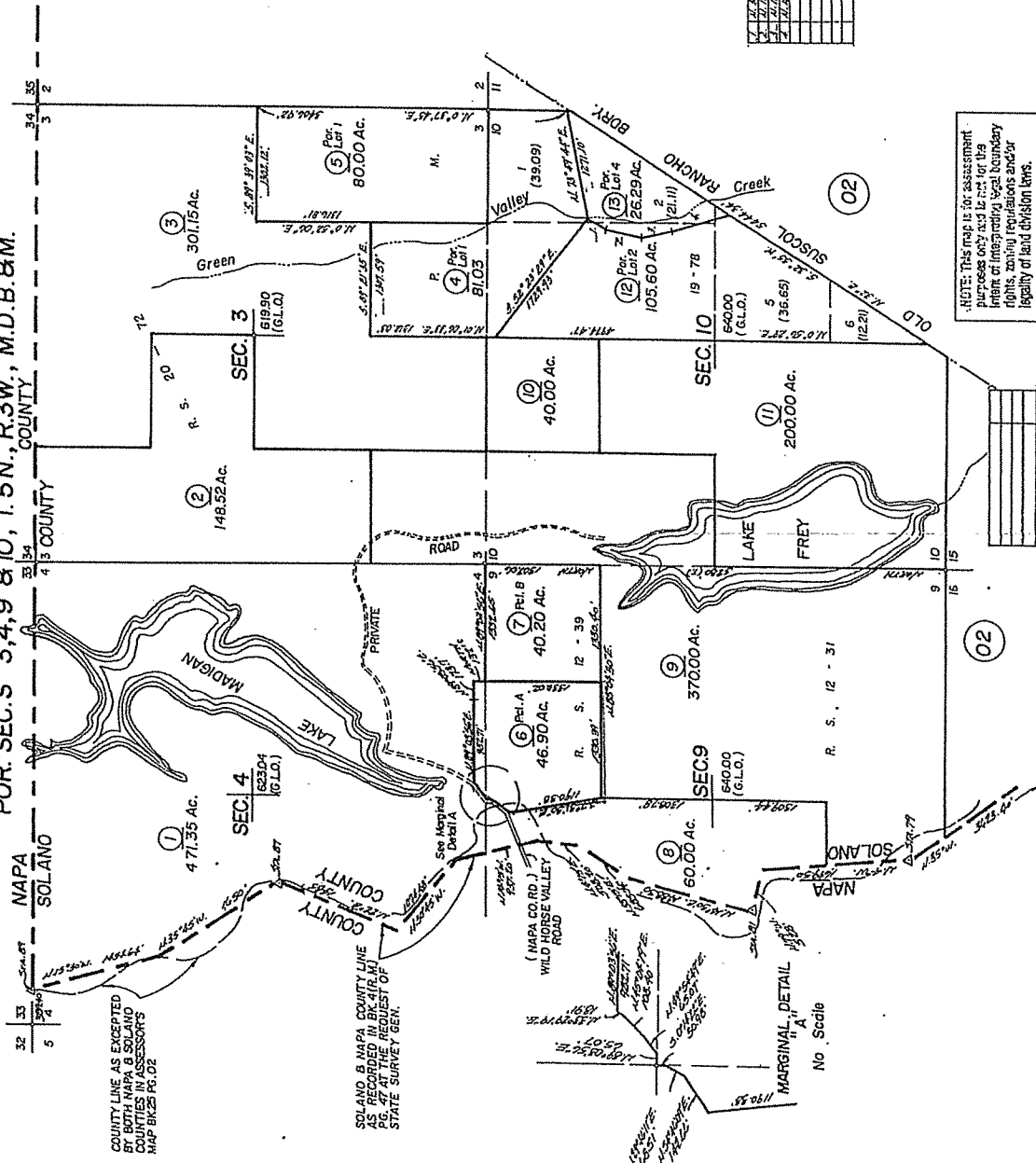
Attachments:

- Exhibit A: Assessor Parcel Map
- Exhibit B: Lot Line Adjustment Map
- Exhibit C: Draft Resolution

147-01

Tax Area Code
60025
60062

POR. SEC'S 3, 4, 9 & 10, T. 5N., R. 3W., M.D.B. & M.



Bk. 149

FILE COPY
 LL-14-03 CC-14-05
 Assessor's Map Bk. 147 Pg. 01
 County of Solano, Calif.

NOTE: This map is for assessment purposes only and is not for the intent of interpreting legal boundary rights, zoning regulations and/or legality of land division laws.

NOTE - Assessor's Block Numbers Shown in Ellipses
 Assessor's Parcel Numbers Shown in Circles

REVISION	DATE	BY
02	02/22/03	ALC/MS/L
01	05/20/02	ALC

PARCEL NO.	ACRES	ASSESSOR'S PARCEL NO.
1	471.35	1
2	148.52	2
3	301.15	3
4	81.03	4
5	80.00	5
6	46.90	6
7	40.20	7
8	60.00	8
9	370.00	9
10	40.00	10
11	200.00	11
12	195.60	12
13	26.29	13

COUNTY LINE AS EXCEPTED BY BOTH NAPA & SOLANO COUNTY ASSESSORS MAP BOOKS PG. 02

SOLANO & NAPA COUNTY LINE AS RECORDED IN BK. 418, M.J. PG. 47 AT THE REQUEST OF STATE SURVEY GEN.

MARGINAL DETAIL
 No. Scale



PREPARED BY
ALBION SURVEYS
ST. HELENA, CA

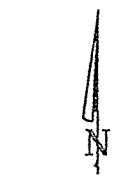
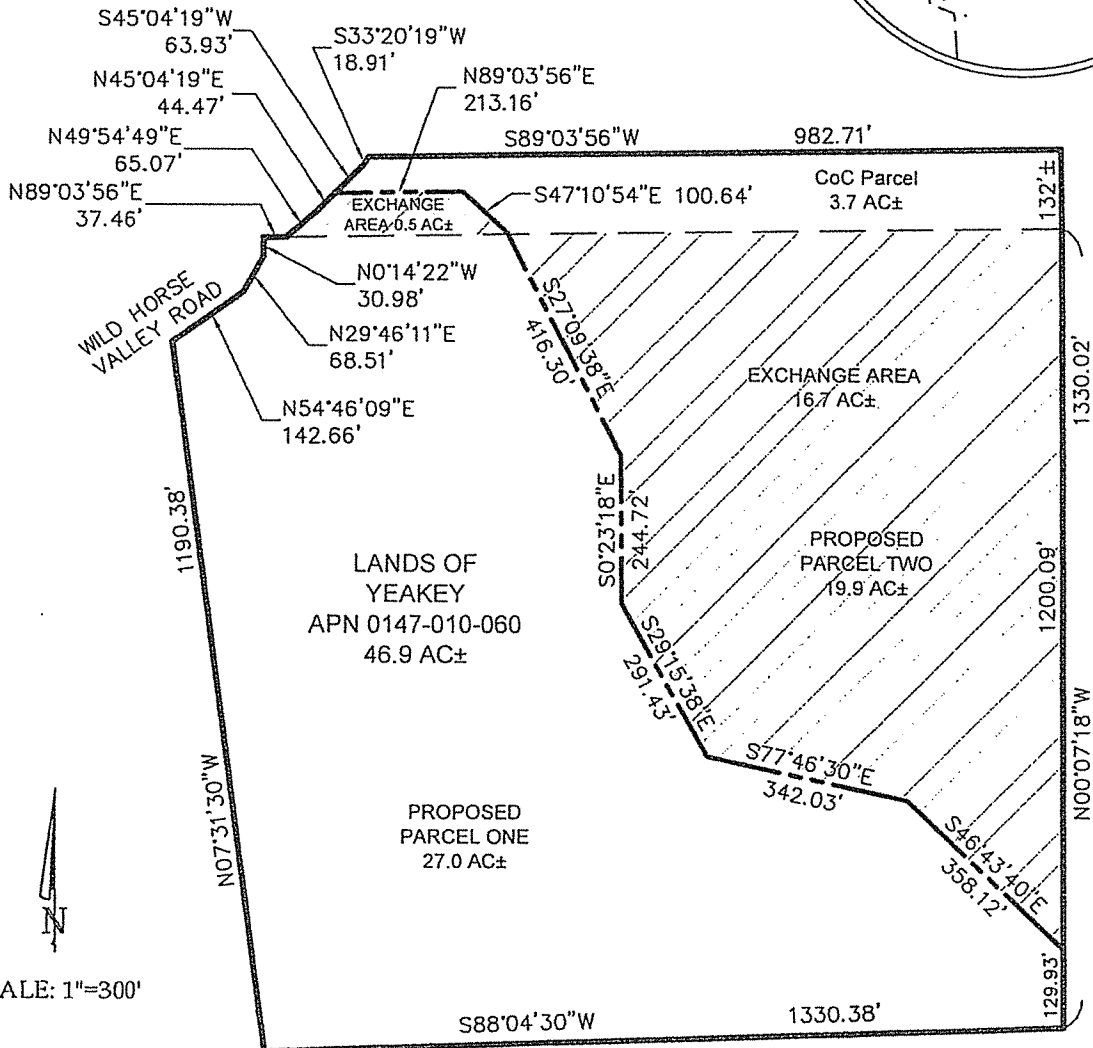
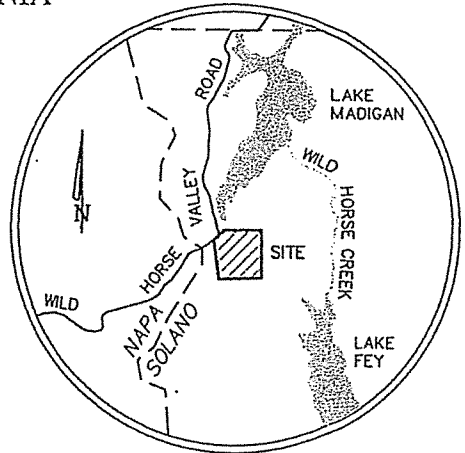
SEPTEMBER 16, 2014

APPLICATION MAP FOR LOT LINE ADJUSTMENT

SOLANO COUNTY, CALIFORNIA

LOCATION MAP
NOT TO SCALE

*IMPORTANT: THIS MAP IS NOT A SURVEY.
IT IS PROVIDED TO LOCATE THE SUBJECT PROPERTY IN
RELATION TO ADJOINING LANDS, HIGHWAYS, ROADS AND
STREETS AND NOT TO GUARANTEE ANY FIXED DIMENSIONS,
ACREAGE OR EASEMENT LOCATION. OTHER EASEMENTS AND
IMPROVEMENTS MAY EXIST, AND MAY NOT BE SHOWN ON THIS
MAP. A FIELD SURVEY SHOULD BE PERFORMED PRIOR TO ANY
CONSTRUCTION, DEMOLITION, CONVEYANCE OR TRANSACTION.*



SCALE: 1"=300'

LEGEND

- EXISTING BOUNDARY LINE
- PROPOSED BOUNDARY LINE
- CERTIFICATE OF COMPLIANCE PARCEL LINE TO BE ADJUSTED
- AREA TO BE EXCHANGED

NOTE:

NO STRUCTURES OR WELLS EXIST ON SUBJECT PROPERTY

SHEET 1 OF 1
3500-01 LLA.dwg

**SOLANO COUNTY ZONING ADMINISTRATOR
RESOLUTION NO. XX**

WHEREAS, the Solano County Zoning Administrator has considered Lot Line Adjustment Application No. LLA 14-02 and Certificate of Compliance No. CC 14-05 of **Robert and Veronique Yeakey** for an adjustment of property located at Wild Horse Valley Road, 7 miles northwest of the City of Fairfield in the "W-160" Watershed 160 acre minimum zoning district, APN's: 0147-010-060, and;

WHEREAS, said Zoning Administrator has reviewed the report of the Department of Resource Management and heard testimony relative to the subject application at the duly noticed public hearing held on February 5, 2015, and;

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

1. **The adjustment is consistent with applicable building ordinances and no conforming lot will be made nonconforming with applicable zoning requirements, and the adjustment will not reduce the aggregate area of all affected lots which do not meet the minimum area requirements of their zoning designations, pursuant to Section 66412(d) of the Subdivision Map Act.**

No structures are proposed as part of this application and no conforming lot will be made nonconforming it terms of minimum parcel size under zoning.

2. **Approval of the lot line adjustment will not create a greater number of parcels than originally existed.**

The lot line adjustment will not create additional parcels.

3. **A letter signed by the Solano County Tax Collector, stating that there are no liens against the properties or any part thereof for unpaid State, County, municipal or local taxes or special assessments collected as taxes, except taxes or special assessments not yet payable, and stating that security has been filed with the Clerk of the Board of Supervisors for the estimated taxes which are a lien on the property but not yet payable for taxes and special assessments, and stating that security satisfy the requirements of Section 66493 of the Subdivision Map Act will be provided.**

The applicant shall obtain a Tax Collector's Certificate that must be completed and signed by the Tax Collector. The applicant will submit the signed Certificate to the Solano County Assessor/Recorder prior to recordation of the Certificate of Compliance.

SUGGESTED FINDINGS

4. **The requirements of CEQA do not apply, as the project is considered ministerial in nature [Section 21080 (b) (1)].**

Lot line adjustments are ministerial projects, and therefore are not held to the provisions and requirements of CEQA.

BE IT THEREFORE RESOLVED, that the Zoning Administrator has approved Lot Line Adjustment Application No. LLA 14-02 and Certificate of Compliance No. CC-14-05 subject to the following recommended conditions of approval:

1. The lot line adjustment shall be in substantial compliance with the map submitted with lot line adjustment application LLA 14-02, dated September 16, 2014 prepared by Albion Surveys, on file with the Planning Services Division.
2. Upon approval of the Lot Line Adjustment, the Planning Services Division shall prepare the Certificate of Compliance. The Certificate of Compliance demonstrating that the subject lot line has been adjusted according to State and County regulations shall be recorded by the applicant concurrently with the deeds and legal descriptions, subject to the satisfaction of the Planning Services Division.

Recordation of the Certificate of Compliance shall be withheld by this division until the following requirements of this approval have been satisfactorily completed.

- a. Submit to the Planning Services Division written legal descriptions of the parcels as adjusted, prepared by a registered land surveyor or civil engineer licensed to survey in the State of California., Each page of the legal description must be signed and sealed by the professional preparing the descriptions.
 - b. Obtain a signed Tax Collector's Certificate from the Tax Collector. This document shall be submitted to the Planning Services Division prior to recordation of the Certificate of Compliance.
3. Prior to issuance of a building permit, demonstrate that suitable soils exist by conducting and submitting soils testing to the Department of Resource Management. The site soil testing shall be performed in order to designate an areas for leachfield construction and to designate a 100% leachfield reserve area for each lot.

I hereby certify that the foregoing resolution was adopted at the regular meeting of the Solano County Zoning Administrator on February 5, 2015.

BILL EMLLEN, DIRECTOR
RESOURCE MANAGEMENT

Michael Yankovich
Planning Program Manager