

SOLANO COUNTY ZONING ADMINISTRATOR
Resource Management Staff Report
Lot Line Adjustment LLA-15-03
Certificate of Compliance CC-15-05

| | |
|--|---------------------------------|
| Application: LLA-15-03/CC-15-05 (Stone, Helmus, Ramirez) | Meeting of July 16, 2015 |
| Project Planner: Karen Avery | Agenda Item No. 1 |

Project Description

Request for Zoning Administrator approval to reconfigure property lines between 3 legal lots located in the A-20 zone. Access for the parcels is off Cantelow Road.

EXISTING ASSESSOR PARCELS:

| Parcel | APN | Owner | Acreage (Net) |
|--------|-------------------------------|---------|---------------|
| A | 0105-070-490 & 0105-070-50 | Stone | 81.80 |
| B | 0105-100-110 | Helmus | 34.64 |
| C | 0105-070-470 | Ramirez | 26.13 |

PROPOSED PARCEL SIZE:

| Parcel | APN | Owner | Acreage (Net) |
|--------|-----|---------|---------------|
| A | TBD | Stone | 82.80 |
| B | TBD | Helmus | 40.00 |
| C | TBD | Ramirez | 20.47 |

EXISTING LAND USE:

Agricultural/Residential

GENERAL PLAN:

Agriculture

ZONING:

Exclusive Agriculture (A-20)

AGRICULTURAL PRESERVE:

Not under Williamson Act contract.

SITE DESCRIPTION

The project consists of three legal parcels located off Cantelow Road in rural Vacaville. All of the parcels consist of rolling hills covered in grasses and scattered with a variety of trees. A small

creek meanders through Parcel C. Parcel A is vacant except for animal holding pens located just off Cantelow Road as Parcel A has been historically used for cattle grazing. Development on Parcel B consists of an 1800 square foot single family residence, with 800± square foot garage and a 1300± square foot metal barn. Parcel C is developed with a small gazebo and barn.

PROJECT DESCRIPTION

The proposed lot line adjustment will adjust the boundary lines between the three parcels. The proposal will increase Parcel A by one acre, increase Parcel B by 5.36 acres and decrease Parcel C by 5.66 acres. As indicated on the tentative Lot Line Adjustment map, the reconfiguration will result in the following lot sizes:

Parcel A = 82.80 acres
Parcel B = 40.00 acres
Parcel C = 20.47 acres

A 60 foot wide private access easement from Cantelow Road will continue to serve the reconfigured parcels. Domestic water well(s) and private septic systems would be required upon residential development for each of the parcels. No residential development is proposed as part of this lot line adjustment.

ANALYSIS

GENERAL PLAN and ZONING CONSISTENCY

Figure LU-1 of the Solano County General Plan designates the project site 'Agricultural'. As seen on the General Plan/Zoning Consistency table (Table LU-7, General Plan), the Exclusive Agricultural (A-20) zoning of the properties is consistent with the General Plan designation. The parcels are legal in terms of minimum parcel size. All existing structures on each of the two parcels will meet the minimum set back requirements for residential structures and accessory buildings within the Exclusive Agricultural (A-20) zoning district, upon approval of the proposed lot line adjustment.

SUBDIVISION ORDINANCE

The three lots are considered legal lots meaning each has met the Solano County Subdivision Ordinance and Subdivision Map Act requirements at the time each were created. The proposed lot line adjustment would not result in a greater nor lessor number of lots than originally existed.

ENVIRONMENTAL DETERMINATION

After review of the CEQA Guidelines, staff is recommending that the Zoning Administrator find that this lot line adjustment is a ministerial action and is therefore exempt from the provisions of CEQA per CEQA Section 21080 (b)(1).

SUGGESTED 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.

The project is consistent with applicable building ordinances and zoning requirements for the Exclusive Agricultural "A-20" zoning district.

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

Three existing parcels are involved in the lot line adjustment and no new parcels will be created.

- 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 included with the Certificate of Compliance at the time of recordation.

SUGGESTED FINDINGS

- 4. The proposed lot line adjustment is a ministerial action and is therefore not subject to the provisions of the California Environmental Quality Act pursuant to CEQA Guidelines Section 21080 (b) (1)].**

RECOMMENDATION:

After review of the information submitted, that the Zoning Administrator **APPROVE** the requested Lot Line Adjustment (LLA-15-03), subject to the following conditions of approval:

CONDITIONS OF APPROVAL:

1. The lot line adjustment shall be in substantial compliance with the map submitted with lot line adjustment application LLA-15-03, dated May 2015 prepared by Brad Foulk, received on May 8, 2015, on file with the Planning Services Division.
2. A Certificate of Compliance, demonstrating that the subject lot line has been adjusted according to the State of California Subdivision Map Act and County Subdivision Ordinance regulations, shall be recorded with the Solano County Recorder's Office within one (1) year of the tentative approval by the Zoning Administrator. In order to obtain a Certificate of Compliance from the Planning Division, submittal of additional documents is required. To initiate this step, 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, shall be submitted to the Planning Services Division. Each page

of the legal description must be signed and sealed by the professional preparing the descriptions. Upon review and approval of the legal descriptions by the Planning Division, a Certificate of Compliance will be prepared and forwarded by the Planning Services Division to the Title Company/Escrow Officer identified on the Lot line Adjustment application, with instruction to the Title Company/Escrow Officer to prepare new grant deeds reflecting the property boundaries as adjusted.

In order to obtain a Certificate of Compliance package that is ready for recordation, the permittee shall submit the following documents to the Planning Division:

- a) Grant Deed(s) that convey the adjustment area(s) between the parcel owners.
- b) Any conveyance documents that may be required for the relocation and/or extensions of existing utilities and easements.
- c) A statement, certificate, or security indicating there are no liens against the properties for any unpaid taxes or special assessments. Property owners shall work with their representative title company and contact the Solano County Assessor's Mapping Department to initiate the 'Tax Certificate' process. Fees are collected by the Assessor's Office to begin this process.

Once all of the necessary documents have been submitted to the Planning Division, a Certificate of Compliance package will be prepared and transmitted to the applicant's title company with instruction for recordation with the Solano County Recorder, thus finalizing the Lot Line Adjustment process.

Attachments:

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

SOLANO COUNTY ZONING ADMINISTRATOR RESOLUTION NO. XX

WHEREAS, the Solano County Zoning Administrator has considered Lot Line Adjustment Application No. LLA-15-03 and Certificate of Compliance No. CC-15-05 of **Stone, Helmus and Ramirez** for an adjustment of property boundaries between three contiguous property owners. The property is located near 3771 Cantelow Road, 2.25 miles northwest of the City of Vacaville in an "A-20" Exclusive Agricultural Zoning District, APN's: 0105-070-490, 500; 0105-100-110; and 0105-070-470, and;

WHEREAS, said Zoning Administrator has reviewed the report of the Department of Resource Management and heard testimony relative to the subject application at the duly noticed public hearing held on July 16, 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.**

The project is consistent with applicable building ordinances and zoning requirements for the Exclusive Agricultural "A-20" zoning district.

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

Three existing parcels are involved in the lot line adjustment and no new parcels will be created.

- 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 included with the Certificate of Compliance at the time of recordation.

- 4. The proposed lot line adjustment is a ministerial action and is therefore not subject to the provisions of the California Environmental Quality Act pursuant to CEQA Guidelines Section 21080 (b) (1)].**

EXHIBIT A

BE IT THEREFORE RESOLVED, that the Zoning Administrator has approved the lot line application 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-15-03, dated May 2015 prepared by Brad Foulk, received on May 8, 2015, on file with the Planning Services Division.
2. A Certificate of Compliance, demonstrating that the subject lot line has been adjusted according to the State of California Subdivision Map Act and County Subdivision Ordinance regulations, shall be recorded with the Solano County Recorder's Office within one (1) year of the tentative approval by the Zoning Administrator. In order to obtain a Certificate of Compliance from the Planning Division, submittal of additional documents is required. To initiate this step, 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, shall be submitted to the Planning Services Division. Each page of the legal description must be signed and sealed by the professional preparing the descriptions. Upon review and approval of the legal descriptions by the Planning Division, a Certificate of Compliance will be prepared and forwarded by the Planning Services Division to the Title Company/Escrow Officer identified on the Lot line Adjustment application, with instruction to the Title Company/Escrow Officer to prepare new grant deeds reflecting the property boundaries as adjusted.

In order to obtain a Certificate of Compliance package that is ready for recordation, the permittee shall submit the following documents to the Planning Division:

- a) Grant Deed(s) that convey the adjustment area(s) between the parcel owners.
- b) Any conveyance documents that may be required for the relocation and/or extensions of existing utilities and easements.
- c) A statement, certificate, or security indicating there are no liens against the properties for any unpaid taxes or special assessments. Property owners shall work with their representative title company and contact the Solano County Assessor's Mapping Department to initiate the 'Tax Certificate' process. Fees are collected by the Assessor's Office to begin this process.

Once all of the necessary documents have been submitted to the Planning Division, a Certificate of Compliance package will be prepared and transmitted to the applicant's title company with instruction for recordation with the Solano County Recorder, thus finalizing the Lot Line Adjustment process.

I hereby certify that the foregoing resolution was adopted at the regular meeting of the Solano County Zoning Administrator on July 16, 2015.

BILL EMLLEN, DIRECTOR
RESOURCE MANAGEMENT

Michael Yankovich
Planning Program Manager

105-07

Tax Area Code
 91030, 91066, 91067
 91068, 91082, 91083
 91089, 91096, 91100
 91107, 91109, 91117

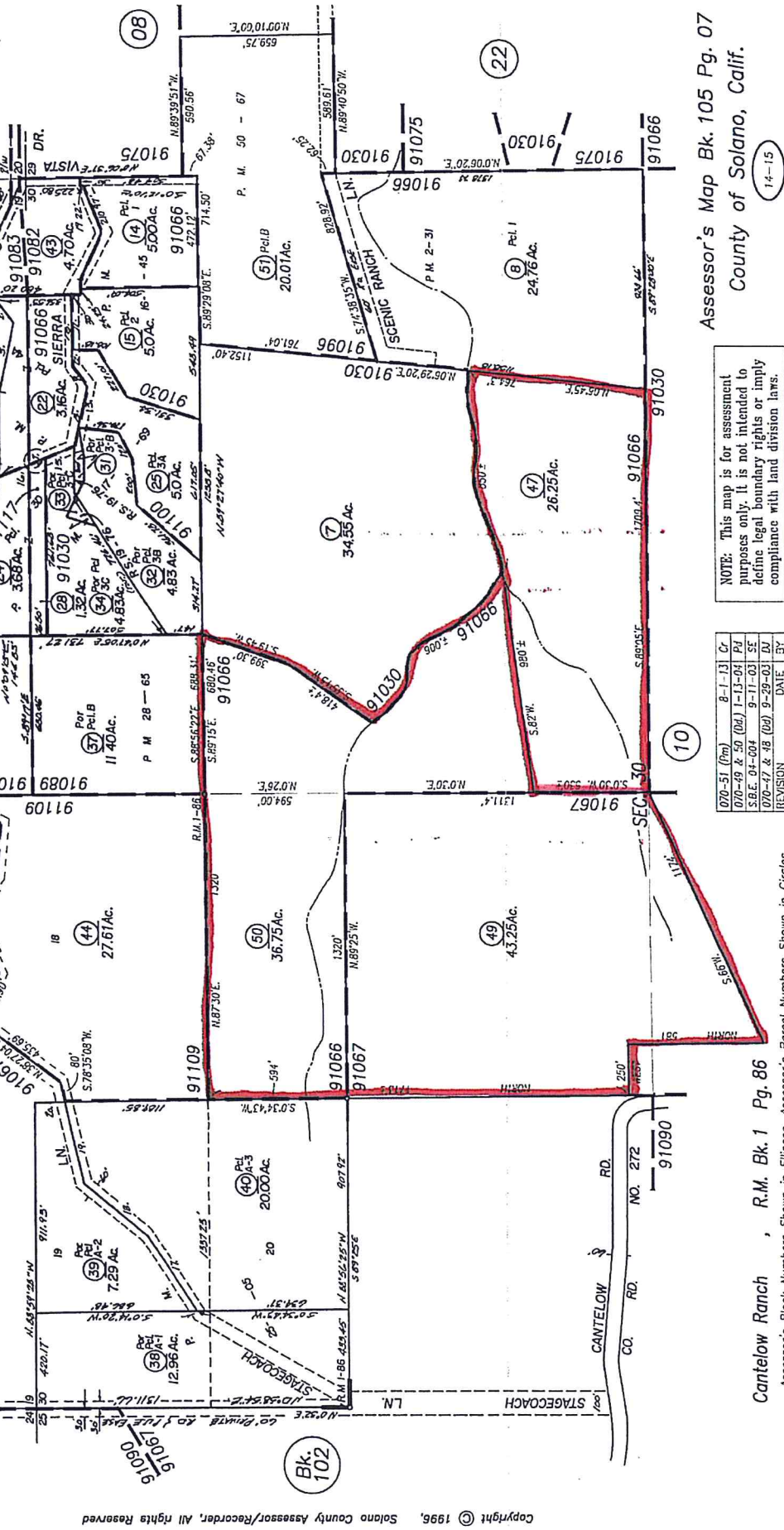
T.7N., R.1W., M.D.B. & M.

POR. SEC. 19 & 20,

| | | | | | |
|-----|---------------|--------|--|--|---------|
| 1. | S.0°50'42"W. | 111.85 | | | 214.16' |
| 2. | S.45°08'21"W. | 155.56 | | | 69.68' |
| 3. | N.77°33'28"W. | 306.13 | | | 181.80' |
| 4. | N.88°59'53"W. | 306.13 | | | 82.58' |
| 5. | N.85°28'16"W. | 56.32 | | | 138.32' |
| 6. | N.27°59'59"W. | 235.76 | | | 212.03' |
| 7. | N.27°51'57"W. | 350.35 | | | 393.12' |
| 8. | N.77°47'46"W. | 264.38 | | | 344.32' |
| 9. | S.56°10'33"W. | 105.68 | | | 160.17' |
| 10. | N.89°27'40"W. | 283.84 | | | 122.95' |

| | | | | | |
|-----|---------------|---------|--|--|--|
| 11. | N.89°27'40"W. | 214.16' | | | |
| 12. | N.89°27'40"W. | 69.68' | | | |
| 13. | S.77°47'46"E. | 181.80' | | | |
| 14. | S.77°47'46"E. | 82.58' | | | |
| 15. | N.22°51'57"W. | 138.32' | | | |
| 16. | N.22°51'57"W. | 212.03' | | | |
| 17. | S.57°57'12"W. | 393.12' | | | |
| 18. | S.41°16'15"W. | 344.32' | | | |
| 19. | S.78°35'08"W. | 160.17' | | | |
| 20. | S.0°54'43"W. | 122.95' | | | |

1" = 400'



NOTE: This map is for assessment purposes only. It is not intended to define legal boundary rights or imply compliance with land division laws.

| | | |
|------------------|---------|----|
| 070-51 (fm) | 8-1-13 | Cr |
| 070-49 & 50 (04) | 1-13-04 | PJ |
| S.B.E. 04-004 | 9-11-03 | SE |
| 070-47 & 48 (04) | 9-29-03 | DJ |
| REVISION | DATE | BY |

Cantlew Ranch, R.M. Bk. 1 Pg. 86
 Assessor's Black Numbers Shown in Ellipses, Assessor's Parcel Numbers Shown in Circles

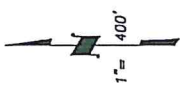
Assessor's Map Bk. 105 Pg. 07
 County of Solano, Calif.

14-15

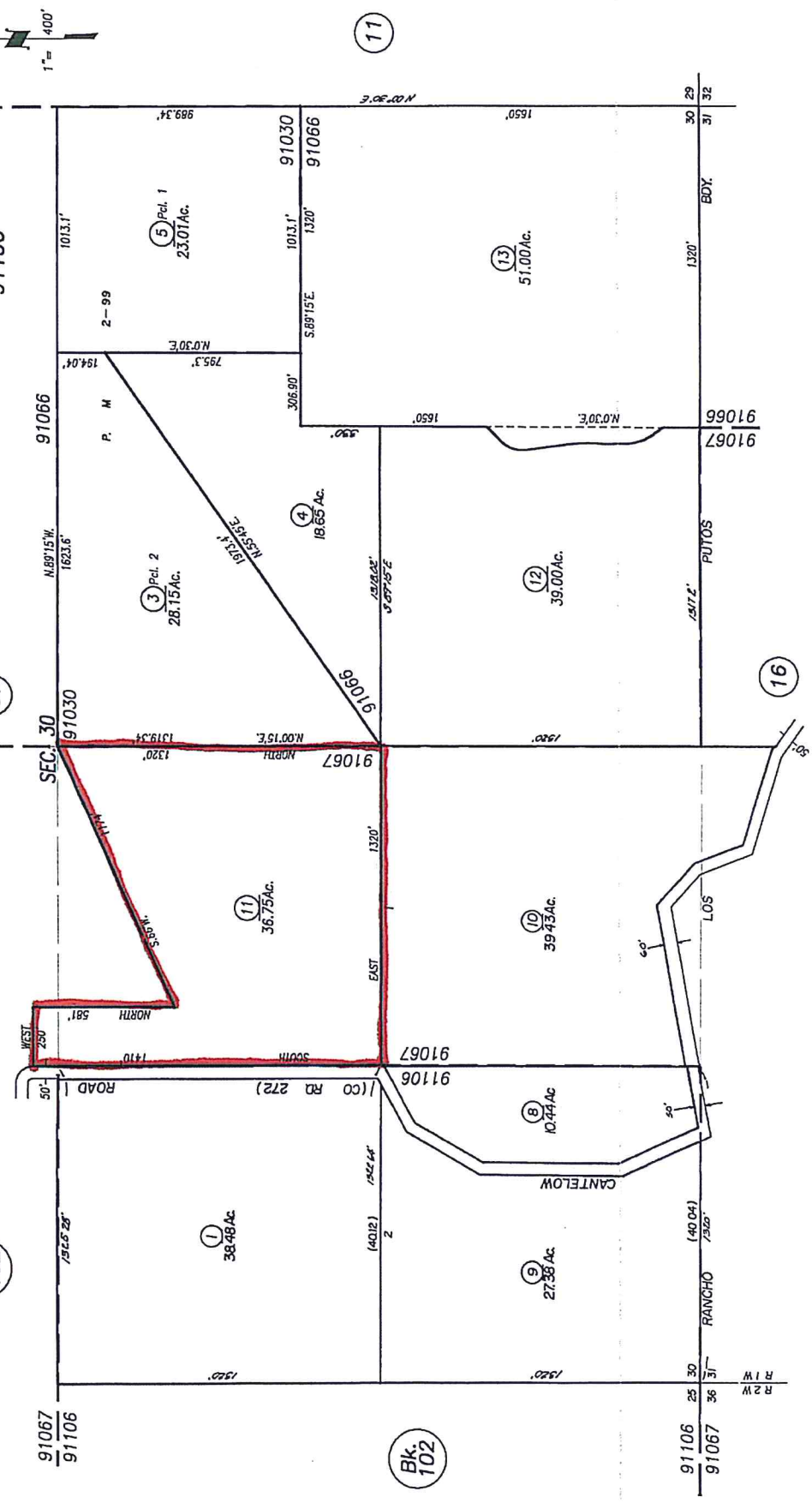
105-10

Tax Area Code
91030
91066
91067
91106

POR. SEC'S. 30 & 31, T.7N., R.1W., M.D.B.& M.



Bk. 102



11

16

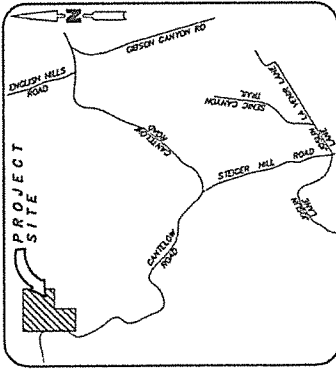
NOTE: This map is for assessment purposes only. It is not intended to define legal boundary rights or imply compliance with land division laws.

| REVISION | DATE | BY |
|----------------|---------|----|
| 105-12&13 (16) | 1-21-09 | Cr |
| 105-17 (06) | 7-13-04 | Pq |
| S.B.E. 04-004 | 9-11-03 | SE |

Assessor's Map Bk. 105 Pg. 10
County of Solano, Calif.

10-11

Assessor's Block Numbers Shown in Ellipses, Assessor's Parcel Numbers Shown in Circles



VICINITY MAP
NOT TO SCALE

LEGEND

- EXISTING CONTOURS
- EXISTING ADJACENT PROPERTY LINE
- EXISTING PROPERTY LINE TO BE ADJUSTED
- PROPOSED PROPERTY LINES
- EXISTING EXTERIOR PROPERTY LINES
- EXISTING FENCE

OWNERS

PARCEL 'A'
JAMES STONE
6526 GIBSON CANYON RD
VACA-VILLE CA. 95688
707-448-0086

PARCEL 'B'
MARK & JOHANN HELMUS
3771 CAMELOW ROAD
VACA-VILLE, CA 95688
530-758-2122

PARCEL 'C'
MARTIN RAMIREZ, ET AL.
6351 CONROY AVE
EL CERRITO, CA 94530
510-367-0209

MAP PREPARED BY

FOULK CIVIL ENGINEERING, INC.
4777 MANGELS BOULEVARD
FAIRFIELD, CA 94534
707-424-0793 (PHONE)
707-864-0793 (FAX)

UTILITIES

WATER: RIMWOOD
SEWER: ONSITE LEACH FIELD
ELECTRIC/GAS: PG&E
TELEPHONE: AT&T

**SITE PLAN
LOT LINE ADJUSTMENT
LANDS OF STONE, HELMUS & RAMIREZ**

ENGLISH HILLS
SOLANO COUNTY, CALIFORNIA

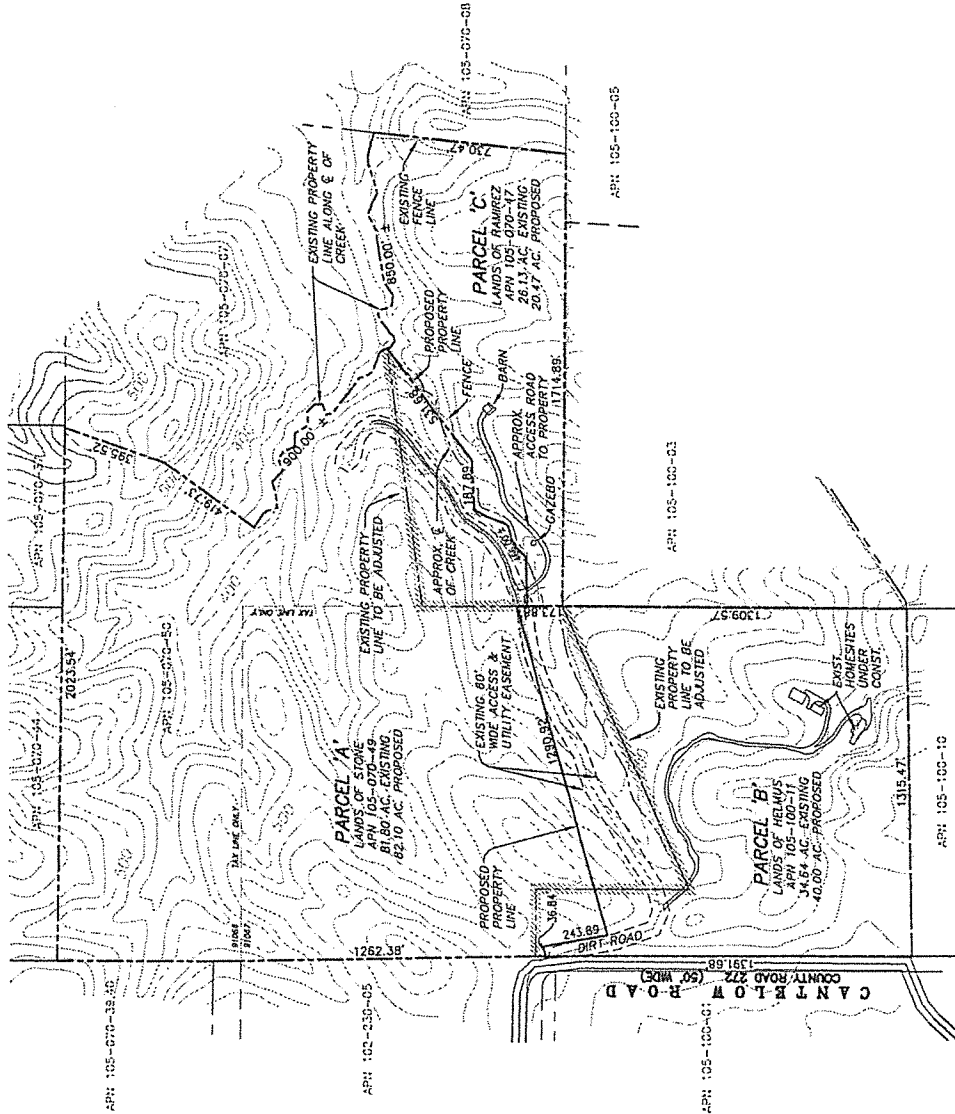
MAY 2015

SCALE: 1"=300'

FCE
Civil Engineering Land Surveying Planning

FOULK CIVIL ENGINEERING, INC.
4777 Mangels Boulevard, Fairfield, CA 94534
(707)864-0793 fax (707)864-0793 e-mail: fce@fcegnai.com

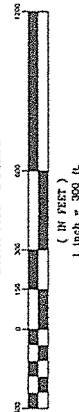
00-338RDNY



SUMMARY

| | |
|---------------------------|--|
| APN 105-070-47 (RAMIREZ) | 26.13 AC± EXISTING 20.47 AC± PROPOSED |
| APN 105-070-49,50 (STONE) | 81.80 AC± EXISTING 82.10 AC± PROPOSED |
| APN 105-100-11 (HELMUS) | 34.64 AC± EXISTING 40.20 AC± PROPOSED |

GRAPHIC SCALE



BRADLEY D. FOULK
PLS 7071
12-31-16
EXPIRES