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Planning Services Division

SOLANO COUNTY ZONING ADMINISTRATOR

**Staff Report
 LLA-15-04 & CC-15-06**

Application No. LLA-15-04 (Felt/Johnson) Project Planner: Eric Wilberg, Associate Planner		Meeting of December 3, 2015 Agenda Item No. 2	
Applicant (Property Owner) Richard and Susan Felt 706 Derry Circle Vacaville, CA 95688		Additional Property Owners Donna and Terrence Johnson Vine Street Vacaville, CA 95688	
Action Requested Request for Zoning Administrator approval of lot line Adjustment application LLA-15-04 to reconfigure a common property line between two parcels.			
Property Information			
Size: 2.56 acres (aggregate of both parcels)		Location: 818 Shady Glen Road	
APNs: 0125-030-010 and 020			
Zoning: Exclusive Agriculture 'A-40'		Land Use: Residential	
General Plan: Agriculture		Ag. Contract: n/a	
Utilities: On-site waters and septic systems		Access: Shady Glen Rd. & Dunsmuir St.	
Adjacent General Plan Designation, Zoning District, and Existing Land Use			
	General Plan	Zoning	Land Use
North	City of Vacaville	City of Vacaville	Single Family Residential
South	City of Vacaville	City of Vacaville	Alamo Creek
East	City of Vacaville	City of Vacaville	Mobile Home Park
West	Agriculture	Exclusive Agriculture 'A-40'	Alamo Creek
Environmental Analysis 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).			
Motion to Approve The Zoning Administrator does hereby ADOPT the attached resolution and APPROVE Lot Line Adjustment No. LLA-15-04 based on the enumerated findings and subject to the recommended conditions of approval.			

RECOMMENDATION

The Zoning Administrator does hereby ADOPT the attached resolution and APPROVE Lot Line Adjustment No. LLA-15-04 based on the enumerated findings and subject to the recommended conditions of approval.

SUMMARY

The applicants propose to adjust a common property line between two adjacent Assessor's parcels. The adjustment would facilitate the transfer 0.23 acres to 'Parcel A' and 0.07 acres to 'Parcel B'. The purpose of the lot line adjustment is to resolve setback encroachments for structures and utilities on each parcel.

SITE DESCRIPTION

The subject site consists of two Assessor's Parcels located at Shady Glen Road, adjacent to and northwest of the City of Vacaville. Residential development within the City of Vacaville abuts the site to the north, south, and east. Row crop within the unincorporated county is adjacent to the site to the northwest. Alamo Creek forms the western and southern boundaries of the site. The entire site is generally flat.

Residential development has been established on each parcel. Parcel A (APN 0125-030-010) is developed with a single family residence (820 Shady Glen Road), detached garage, shed, and a septic system. Parcel B (0125-030-020) is developed with two single family residences (818 and 819 Shady Glen Road), detached garage, swimming pool, septic system, and two water wells.

PROJECT DESCRIPTION

The proposed lot line adjustment would reconfigure a common parcel line between two adjacent lots. Parcel A (APN 0125-030-010) is currently 1.14 acres and would increase to 1.30 acres. Parcel B (APN 0125-030-020) is currently 1.45 acres and would decrease to 1.29 acres. The adjustment would result in the transfer of 0.16 acres. In addition, a 50 foot wide access easement is proposed for the benefit of both parcels A and B. The easement would be aligned in a north-south direction, extending from Dunsmuir Street (City of Vacaville) through each parcel. The adjustment would result in increased setbacks from proposed property lines to existing structures and private septic systems.

ANALYSIS

Land Use Consistency

Figure LU-1 of the Solano County General Plan designates the project site 'Agriculture'. As seen on the General Plan/Zoning Consistency table (Table LU-7, General Plan), the Exclusive Agriculture 'A-40' zoning of the properties is consistent with the General Plan designation. Each of the two existing parcels are considered legal, nonconforming with respect to 40 acre minimum parcel size required per zoning. Existing structures including the three dwellings and accessory structures meet the minimum development standards (setback requirements) to the reconfigured parcel boundaries.

Subdivision Ordinance

The two lots are considered legal lots meaning each has met Solano County Subdivision Ordinance and Subdivision Map Act requirements at the time each were created. Recently, Certificate of Compliance CC-15-08 was recorded to memorialize each lot. The proposed lot line adjustment would not result in a greater nor lesser number of lots than originally existed. In addition, no lot would be made nonconforming with respect to size.

ENVIRONMENTAL ANALYSIS

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

Staff recommends that the Zoning Administrator **ADOPT** the attached resolution with respect to the mandatory and suggested findings, and **APPROVE** Lot Line Adjustment LLA-15-04 subject to the recommended conditions of approval.

LOT LINE ADJUSTMENT 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 with respect to minimum parcel size required 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 result in two legal lots, the same number of lots as existed prior to this application.

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).**

CONDITIONS OF APPROVAL

1. The lot line adjustment shall be in substantial compliance with the tentative lot line adjustment map submitted with lot line adjustment application LLA-15-04, dated July 2015 prepared by Foulk Civil Engineering, Inc., filed September 14, 2015 with the Planning Services Division.
2. A Certificate of Compliance demonstrating that the subject lot lines have been adjusted pursuant to 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 instructions 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 extension 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 instructions for recordation with the Solano County Recorder, thus finalizing the Lot Line Adjustment process.

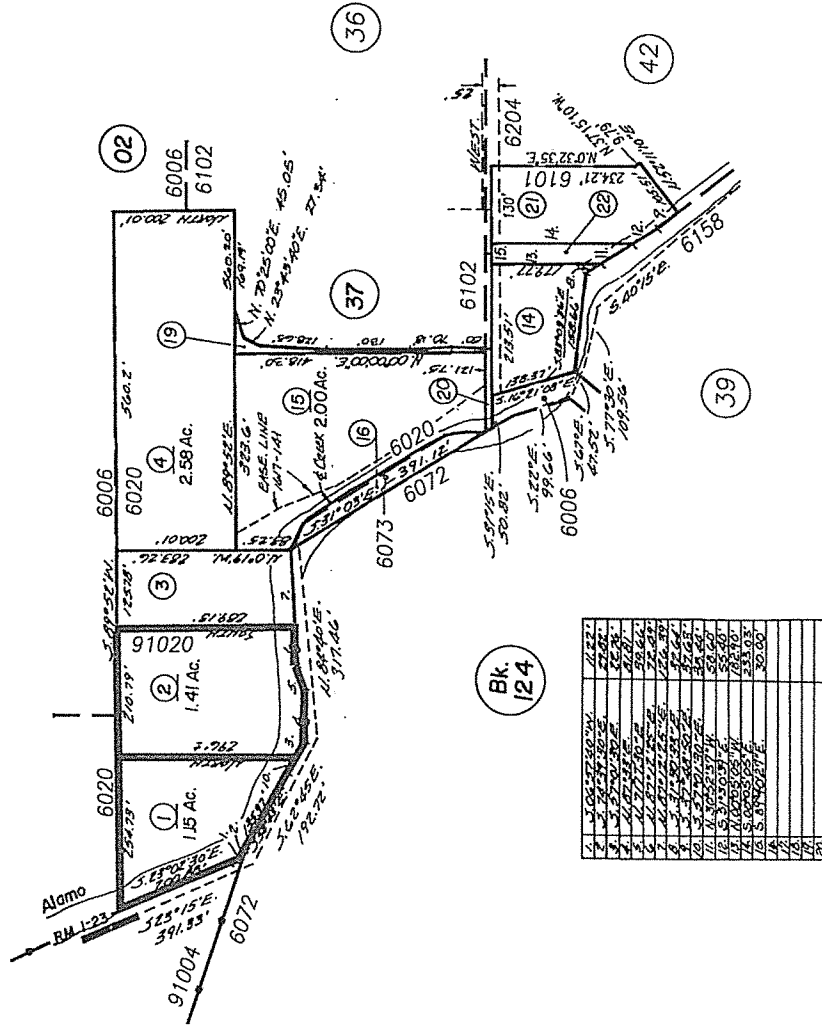
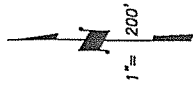
Attachments:

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

Tax Area Code
 6020
 6073
 6101
 6102
 91020

POR. LOT 37, RANCHO LOS PUTOS
 POR. SEC.'S 17 & 18, T.6N., R.1W., M.D.B.& M. EXT.

125-03



Bk. 124

1	1.15 AC.	1.15 AC.
2	1.41 AC.	1.41 AC.
3	1.00 AC.	1.00 AC.
4	2.88 AC.	2.88 AC.
5	1.00 AC.	1.00 AC.
6	1.00 AC.	1.00 AC.
7	1.00 AC.	1.00 AC.
8	1.00 AC.	1.00 AC.
9	1.00 AC.	1.00 AC.
10	1.00 AC.	1.00 AC.
11	1.00 AC.	1.00 AC.
12	1.00 AC.	1.00 AC.
13	1.00 AC.	1.00 AC.
14	1.00 AC.	1.00 AC.
15	1.00 AC.	1.00 AC.
16	1.00 AC.	1.00 AC.
17	1.00 AC.	1.00 AC.
18	1.00 AC.	1.00 AC.
19	1.00 AC.	1.00 AC.
20	1.00 AC.	1.00 AC.

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

S.B.E.	REVISION	DATE	BY
2008-10		3-05-08	JS
20-21 (LLA)		5-09-07	DV
30-12 to Sub.		9-21-06	CR
Adj. Pg. 39		11-23-04	SE
30-21&22		2-24-97	SS
S.B.E. 349-D		9-30-92	PG

Pierce Estate, R.M. Bk. 1 Pg. 23
 Orchard Place Unit No. 1, R.M. Bk. 50 Pg. 85

EXHIBIT A

CITY OF VACAVILLE
 Assessor's Map Bk. 125 Pg. 03
 County of Solano, Calif.

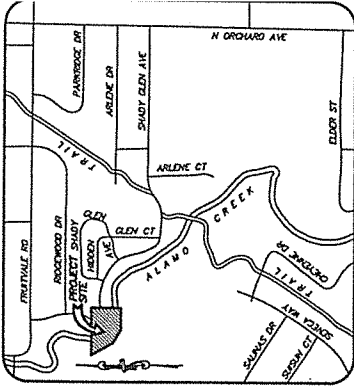
08-09

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FILE COPY

SEC 17
 SEC 18

FILE COPY



VICINITY MAP
NOT TO SCALE

- LEGEND**
- EXISTING ADJACENT PROPERTY LINE
 - EXISTING PROPERTY LINE TO BE ADJUSTED
 - PROPOSED PROPERTY LINES
 - EXISTING RIGHT-OF-WAY
 - EXISTING FENCE
 - EXISTING TREE SIZE & TYPE

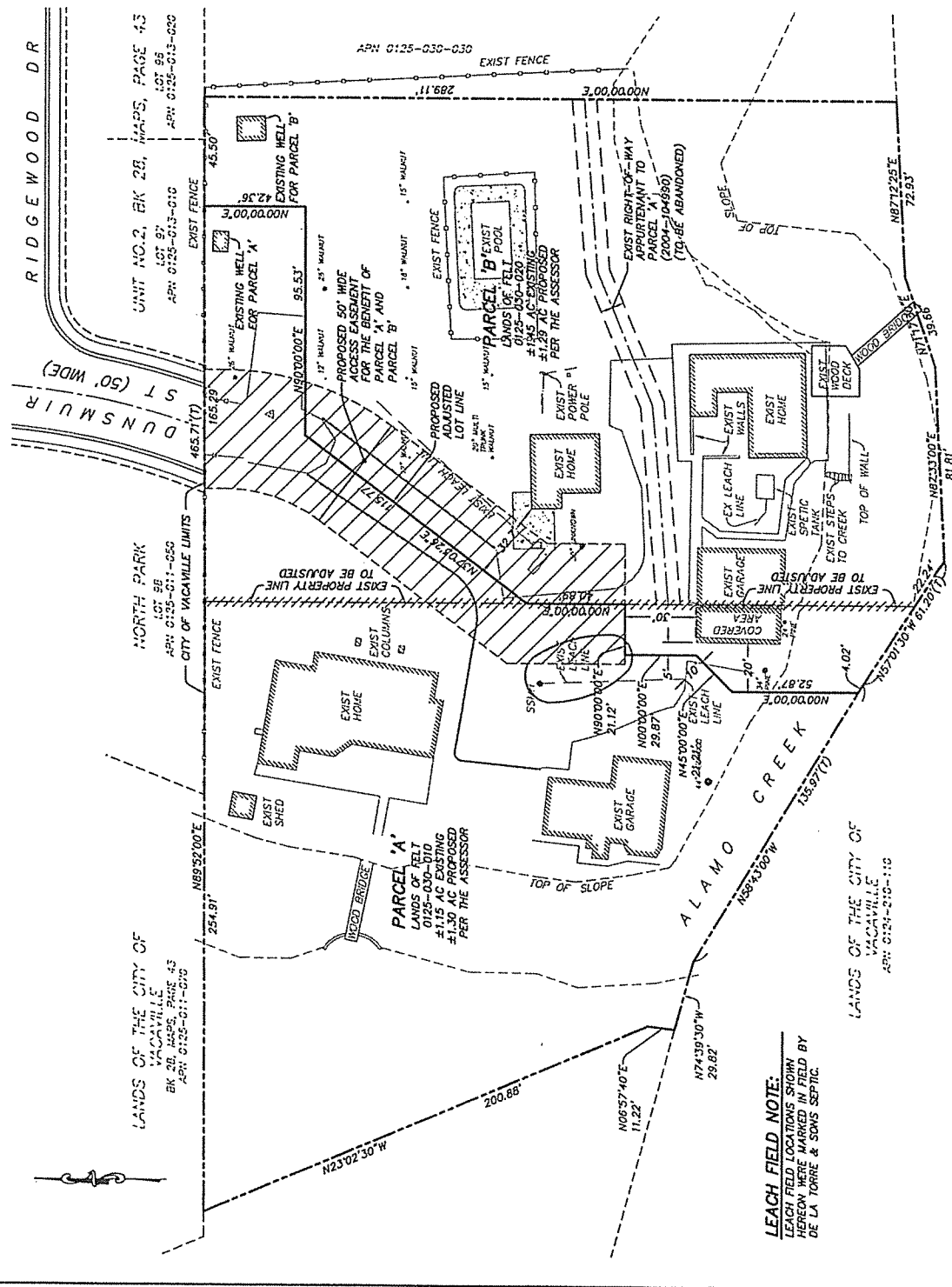
OWNERS
PARCEL A & B LANDS OF FELT
 820 SHADY GLEN ROAD
 VACAVILLE, CA 95688

MAP PREPARED BY
 FOULK CIVIL ENGINEERING, INC.
 4777 MANGELS BOULEVARD
 FAIRFIELD, CA 94534
 707-864-0784
 707-864-0793 (FAX)
 CONTACT: BRAD FOULK

UTILITIES
 WATER: ON-SITE WELL
 SEWER: ON-SITE LEACH FIELDS
 TELEPHONE: AT&T
 TELEVISION: AT&T

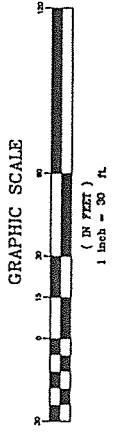
SITE PLAN
LOT LINE ADJUSTMENT
LANDS OF FELT
 SOLANO COUNTY, CALIFORNIA
 JULY 2015
 SCALE: 1"=30'

FCE
 FOULK CIVIL ENGINEERING, INC.
 Civil Engineering Land Surveying Planning
 4777 Mangels Boulevard, Fairfield, CA 94534
 (707)864-0784 fax (707)864-0793 e-mail: fce@fce.com



SUMMARY

APN 125-030-010	#1.15 AC. EXISTING
APN 125-030-020	#1.30 AC. PROPOSED
APN 125-030-020	#1.45 AC. EXISTING
APN 125-030-020	#1.29 AC. PROPOSED



LEACH FIELD NOTE:
 LEACH FIELD LOCATIONS SHOWN
 HEREON WERE MARKED IN FIELD BY
 DE LA TORRE & SONS SEPTIC.

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

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

WHEREAS, the Solano County Zoning Administrator has considered to reconfigure a common property line between two parcels located within unincorporated Vacaville at 820 Shady Glen Road in an "A-40" Exclusive Agricultural Zoning District, APN's: 0125-030-010 and 020, 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 December 3, 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 with respect to minimum parcel size required 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 result in two legal lots, the same number of lots as existed prior to this application.

- 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).**

BE IT THEREFORE RESOLVED, that the Zoning Administrator has approved the lot line adjustment application subject to the following recommended conditions of approval:

1. The lot line adjustment shall be in substantial compliance with the tentative lot line adjustment map submitted with lot line adjustment application LLA-15-04, dated July 2015 prepared by Foulk Civil Engineering, Inc., filed September 14, 2015 with the Planning Services Division.
2. A Certificate of Compliance demonstrating that the subject lot lines have been adjusted pursuant to 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 instructions to the Title Company/Escrow Officer to prepare new grant deeds reflecting the property boundaries as adjusted.

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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 instructions 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 December 3, 2015.

BILL EMLLEN, DIRECTOR
RESOURCE MANAGEMENT

Michael Yankovich
Planning Program Manager