

DEPARTMENT OF RESOURCE MANAGEMENT

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Planning Services Division

SOLANO COUNTY ZONING ADMINISTRATOR

**Staff Report
LLA-23-05/CC-23-05**

Application No. LLA-23-05, CC-23-05		Meeting of January 4, 2024	
Project Planner: Eric Wilberg, Senior Planner			
Property Information – Lot 1 Jack Tseng 3424 Hidden Valley Lane Fairfield, CA 94534 APN: 0122-140-020		Property Information – Lot 2 Mark & Linda Giannini 5477 Lyon road Fairfield, CA 94534 APN: 0151-050-050	
Action Requested Lot Line Adjustment Application No. LLA-23-05 by Jack Tseng and Mark & Linda Giannini to transfer 0.96 acres of land from the Giannini parcel to the Tseng parcel located at 3424 Hidden Valley Lane, one-half mile north of the City of Fairfield, within the Exclusive Agriculture “A-20” zoning district, APN’s: 0122-140-020 and 0151-050-050.			
General Plan Designation, Zoning District			
	General Plan	Zoning	
Subject Site	Agriculture	Exclusive Agriculture “A-20”	
North	Agriculture	Exclusive Agriculture “A-20”	
South	Agriculture	Exclusive Agriculture “A-20”	
East	City of Vacaville	City of Vacaville	
West	Agriculture	Exclusive Agriculture “A-20”	
Environmental Analysis Staff recommends that the Zoning Administrator find that this Lot Line Adjustment is a ministerial action and is therefore exempt from the provisions of the California Environmental Quality (CEQA) pursuant to CEQA Section 21080(b)(1).			
Recommendation Staff recommends that the Zoning Administrator ADOPT the attached resolution with respect to the enumerated findings and APPROVE Lot Line Adjustment LLA-23-05 subject to the recommended conditions of approval.			

SUMMARY

Neighboring property owners Jack Tseng and Mark & Linda Giannini are proposing to reconfigure two existing adjacent lots under their ownership. The adjustment will transfer 0.96 acres from the Giannini property to the Tseng property to account for existing encroachment conditions comprised of landscaping crossing parcel boundaries.

PROJECT DESCRIPTION

The lot line adjustment involves the existing 3.04-acre Tseng property and the 28.60-acre Giannini property, both of which are zoned Exclusive Agriculture "A-20". Existing and proposed lot sizes are summarized in the table below.

OWNER	APN	EXISTING SIZE	PROPOSED SIZE	NET TRANSFER
Tseng	0122-140-020	3.04 AC	4.00 AC	+0.96 AC
Giannini	0151-050-050	28.63 AC	27.67 AC	-0.96 AC

The 0.96 acres being transferred is located along the southern lot line of the Tseng property, south of the existing residence. Residential development exists on both lots; however, the reconfigured lot line will not compromise setback requirements for any structure on either lot. As seen on the tentative lot line adjustment map parcel access and existing easements are not affected by the adjustment.

DISCUSSION

General Plan and Zoning

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 Agricultural "A-20" zoning of the properties is consistent with the General Plan designation.

Subdivision Ordinance

The applicant has supplied adequate information to accompany the lot line adjustment application per County Subdivision Ordinance Section 26-41.1. The proposal is consistent with allowable land uses and development standards of the A-20 zoning district. The proposal involves the reconfiguration of two existing lots and no new lots would be created.

In order to finalize the lot line adjustment, the applicants will be required to secure a signed Tax Certificate letter from the Solano County Tax Collector. Details regarding the Tax Certificate process are described in Condition of Approval No. 2 in the resolution. This step also enables the Certificate of Compliance process which ultimately memorializes an approved lot line adjustment.

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 Section 21080(b)(1).

RECOMMENDATION

Staff recommends that the Zoning Administrator **ADOPT** the attached resolution with respect to the enumerated findings and **APPROVE** Lot Line Adjustment LLA-23-05 subject to the recommended conditions of approval.

ATTACHMENTS:

A - Draft Resolution

B - Lot Line Adjustment Map

SOLANO COUNTY ZONING ADMINISTRATOR RESOLUTION NO.

WHEREAS, the Solano County Zoning Administrator has considered Lot Line Adjustment application No. LLA-23-05 and Certificate of Compliance No. CC-23-05 by Jack Tseng and Mark & Linda Giannini to transfer 0.96 acres of land from the Giannini parcel to the Tseng parcel located at 3424 Hidden Valley Lane, one-half mile north of the City of Fairfield, within the Exclusive Agriculture "A-20" zoning district, APN's: 0122-140-020 and 0151-050-050; and

WHEREAS, said Zoning Administrator has reviewed the Department of Resource Management's report and heard testimony relative to the subject application at the duly noticed public hearing held on January 4, 2024; 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 proposal is consistent with applicable building codes and no lot will be made nonconforming with regard to zoning regulations.

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

The lot line adjustment does not result in the creation of any 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 Certificate shall be obtained from the County Tax Collector. The Tax Certificate shall be recorded as part of the Certificate of Compliance package.

- 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 Lot Line Adjustment application LLA-23-05 subject to the following recommended conditions of approval:

1. The Lot Line Adjustment shall be established in compliance with the application materials and tentative lot line adjustment map prepared by Ty Hawkins LS 7973, dated October 12, 2023, and as approved by the Solano County Zoning Administrator.
2. A Certificate of Compliance demonstrating that the subject lot line has been adjusted in accord with the State of California Subdivision Map Act and Solano 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. Failure to record a Certificate of Compliance within one year of Hearing Authority approval shall render the Lot Line Adjustment null and void.

Submittal of additional documents is required in order to obtain a Certificate of Compliance from the Planning Division. The applicant shall initiate this step by submitting written legal descriptions of the parcels as adjusted to the Planning Services Division. The legal descriptions shall be prepared by a registered land surveyor or civil engineer licensed to survey in the State of California and each page of the legal descriptions must be signed and sealed by the professional preparing the descriptions. Upon review and approval of the legal descriptions by the Planning Division and Solano County Surveyor, 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.

Prior to recordation of the Certificate of Compliance, the permittee shall obtain the following documents to accompany the Certificate of Compliance:

- 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 obtained by permittee, the applicant or its Title Company shall transmit all necessary documents along with the Certificate of Compliance to the Solano County Recorder for recordation, thus completing the Lot Line Adjustment approval process.

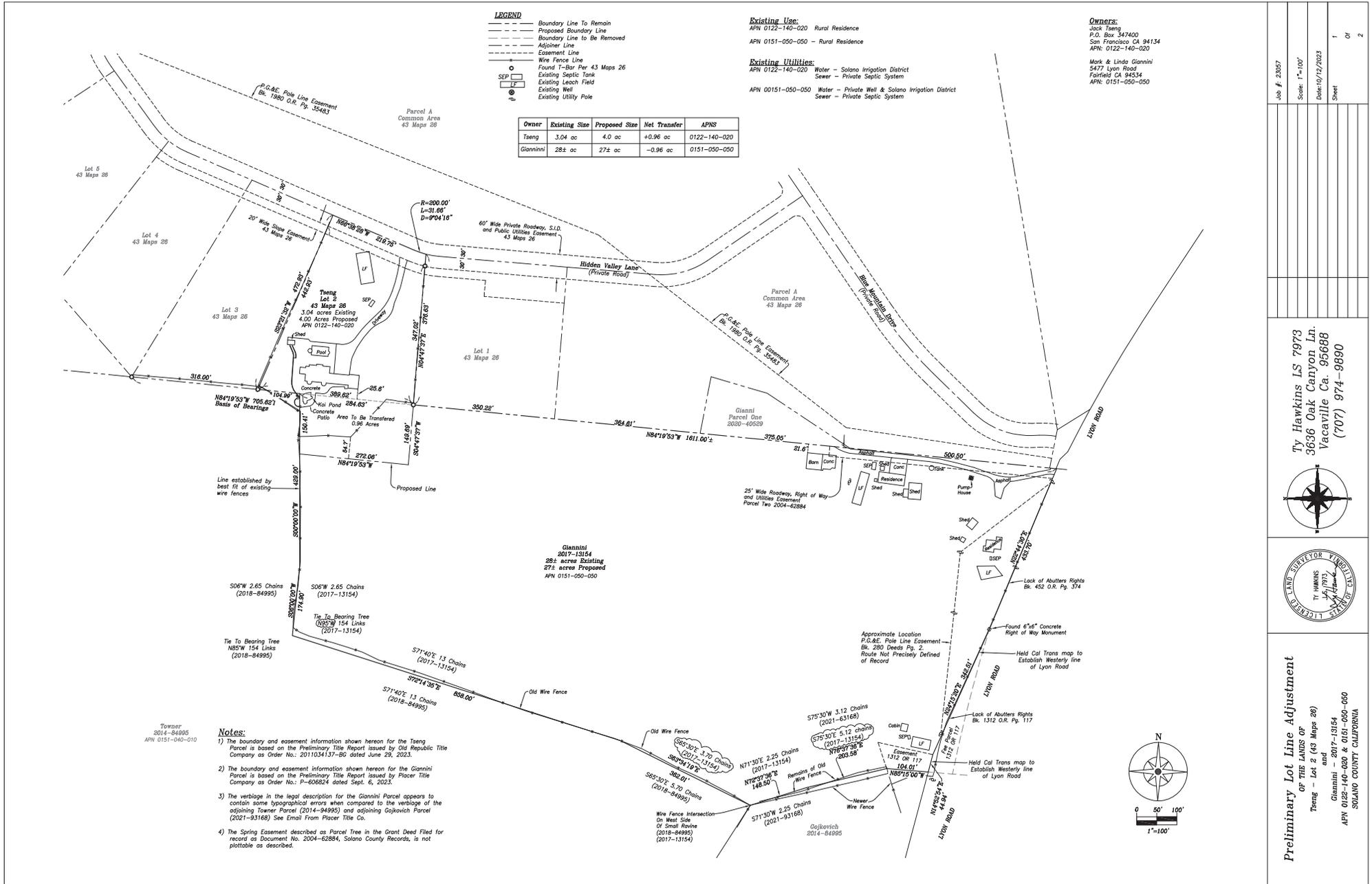
3. Deed of Trust agreements which encumber only portions of conforming legal lots are violations of the Subdivision Map Act. The permittee shall ensure that any Deed of Trust agreements on the subject properties conform with the adjusted lot boundaries.

I hereby certify that the foregoing resolution was adopted at the regular meeting of the Solano County Zoning Administrator on January 4, 2024.

JAMES BEZEK, DIRECTOR
RESOURCE MANAGEMENT

Allan Calder, Planning Services Manager
Department of Resource Management

DRAFT



LEGEND

- Boundary Line To Remain
- - - Proposed Boundary Line
- Boundary Line To Be Removed
- - - Adjoiner Line
- - - Easement Line
- Wire Fence Line
- Found T-Bar Per 43 Maps 26
- SEP Existing Septic Tank
- LF Existing Leach Field
- ⊕ Existing Well
- ⊙ Existing Utility Pole

Owner	Existing Size	Proposed Size	Net Transfer	APNS
Tseng	3.04 ac	4.0 ac	+0.96 ac	0122-140-020
Giannini	28± ac	27± ac	-0.96 ac	0151-050-050

Existing Use:
 APN 0122-140-020 Rural Residence
 APN 0151-050-050 Rural Residence

Existing Utilities:
 APN 0122-140-020 Water - Solano Irrigation District
 Sewer - Private Septic System
 APN 00151-050-050 Water - Private Well & Solano Irrigation District
 Sewer - Private Septic System

Owners:
 Jack Tseng
 P.O. Box 347400
 San Francisco CA 94134
 APN: 0122-140-020

Mark & Linda Giannini
 5477 Lyon Road
 Fairfield CA 94534
 APN: 0151-050-050

Towner
 2014-84995
 APN 0151-040-010

- Notes:**
- The boundary and easement information shown hereon for the Tseng Parcel is based on the Preliminary Title Report issued by Old Republic Title Company as Order No. 2011034137-BG dated June 23, 2023.
 - The boundary and easement information shown hereon for the Giannini Parcel is based on the Preliminary Title Report issued by Placer Title Company as Order No. P-606824 dated Sept. 6, 2023.
 - The verbiage in the legal description for the Giannini Parcel appears to contain some typographical errors when compared to the verbiage of the adjoining Towner Parcel (2014-84995) and adjoining Gajkovich Parcel (2021-93168) See Email From Placer Title Co.
 - The Spring Easement described as Parcel Tree in the Grant Deed Filed for record as Document No. 2004-62884, Solano County Records, is not plottable as described.

Job # 20267	Scale 1"=100'	Date 10/12/2023	Sheet 1 of 2
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Ty Hawkins LS 7973
 3636 Oak Canyon Ln.
 Vacaville Ca. 96688
 (707) 974-9890



Preliminary Lot Line Adjustment
 OF THE LANDS OF
 Ty Hawkins
 and
 Giannini - 2017-13154
 APN 0122-140-020 & 0151-050-050
 SOLANO COUNTY CALIFORNIA