

SOLANO COUNTY ZONING ADMINISTRATOR
Lot Line Adjustment LLA-13-03
Certificate of Compliance CC-13-09

Application: LLA-13-03/CC-13-09
(Kinnicutt/Rural North Vacaville Water District)

Meeting of November 21, 2013

Project Planner: Nedzlene Ferrario

Agenda Item No. 1

PROJECT DESCRIPTION

Request for Zoning Administrator approval to reconfigure property lines between two parcels in the A-20 zoning district, Parcel E owned by the Rural North Vacaville Water District (RNVWD) and Parcel C, owned by Harry & Terry Kinnicutt. The adjustment will shift the boundaries of Parcel E to make it more accessible and consistent with existing fencing. The lot line adjustment application is part of a settlement agreement stemming from litigation between the respective land owners.

APN	Existing Acreage	Proposed Acreage
0105-090-160/Parcel C	19.97	19.95
0105-090-120/Parcel E	0.60	0.62

EXISTING LAND USE: Residential
GENERAL PLAN: Agriculture
ZONING: Exclusive Agriculture 20 acre minimums
AGRICULTURAL PRESERVE: Not under contract.

SITE DESCRIPTION

The subject site is located at Buena Vista Lane, approximately 2 miles north of the City of Vacaville.

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 Agriculture. The subject properties are located within the Exclusive Agriculture 20 acre minimum parcel size (A-20) 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 adjustment will transfer 5708 square feet of area from RNVWD to the Kinnicutts who in exchange will transfer 6,885 square feet of area to the RNVWD, which includes a 1350 square foot access easement that the District presently has, and extends the northern boundary of RNVWD parcel to the area on which a fence that currently surrounding the water district facilities lies. Refer to Exhibit B.

Both properties are legal conforming and the property transfer will not result in non-conforming lot sizes.

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-13-03 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-13-03, dated 09/24/2013 prepared by FGA Foulk, Gomez & Associates, on file with the Planning Services Division.
2. A Certificate of Compliance, demonstrating that the subject lot line has been adjusted to State and County regulations shall be recorded by the applicant subject to the satisfaction of the Planning Services Division. Preparation of the Certificate of Compliance shall be withheld by this division until all requirements of this approval have been satisfactorily completed.

In order to complete 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 approval by the Planning Division of the legal descriptions, 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, and to record the Certificate of Compliance concurrently with the new grant deeds.

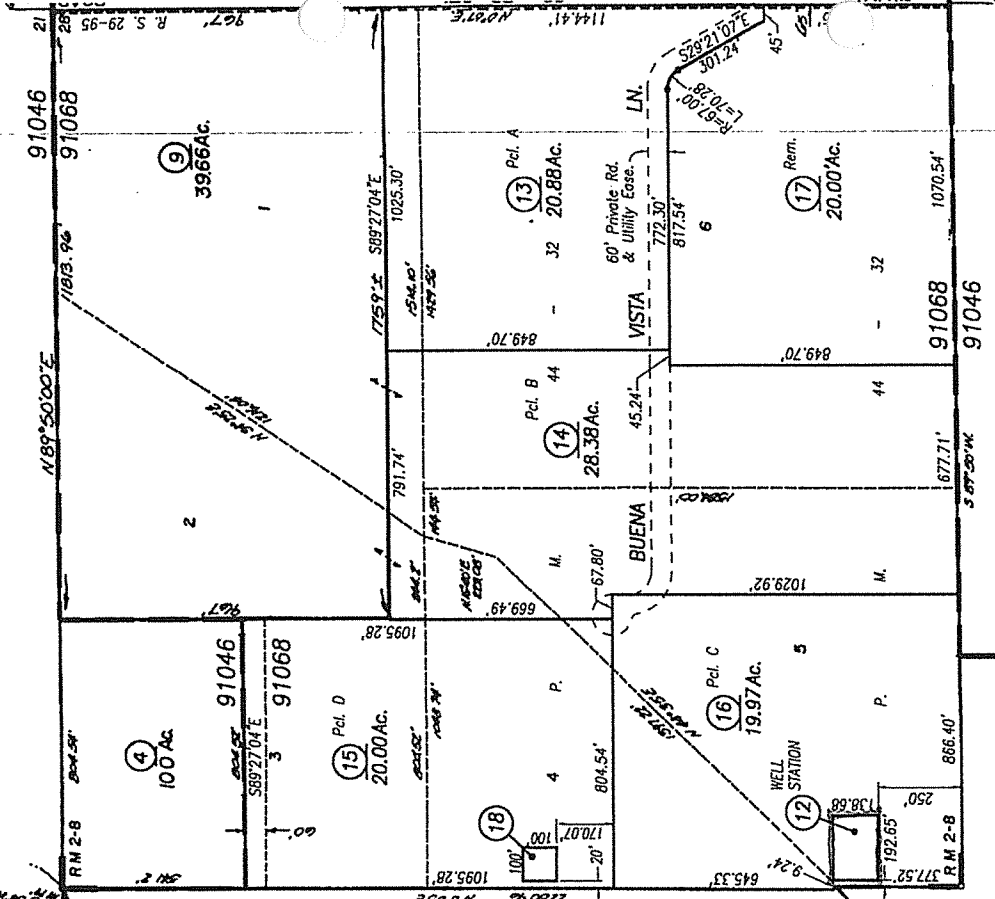
Attachments:

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

Tax Area Code
91046
91068

POR. SEC. 28, T.7N., R1W., M.D.B.& M.

105



72°00'41"W	67.08'
74°42'07"W	161.92'
76°05'27"W	116.29'
72°08'59"W	187.87'
71°12'35"W	277.07'
88°13'50"W	79.83'
46°21'17"W	153.21'
72°07'29"W	80.05'
19°29'16"W	41.78'
23°22'10"E	199.56'
31°44'27"E	176.46'
92°31"E	158.76'
111.78'	
24°33'24"E	52.32'
5°09'29"E	116.89'
49°44'33"E	157.95'
16°48'02"W	170.04'
7°07'14"E	50.14'
71°15'51"E	103.95'
19°35'28"E	123.95'

08

72°33'52"E	122.72'
56°20'40"E	253.93'
19°21'55"W	139.56'
46°44'52"E	130.86'
48°25'04"E	364.40'
72°26'53"E	150.07'
20°32'02"E	165.95'
14°30'09"E	71.83'
57°E	64.95'
20°E	9.89'

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
080-1216 Chg(04)	9-9-11	Cr
R.S. 29-95	10-21-10	Cr
Add St. Name	9-15-04	JS
S.B.E. 04-004	9-11-03	JS

14

12

06

EXHIBIT A

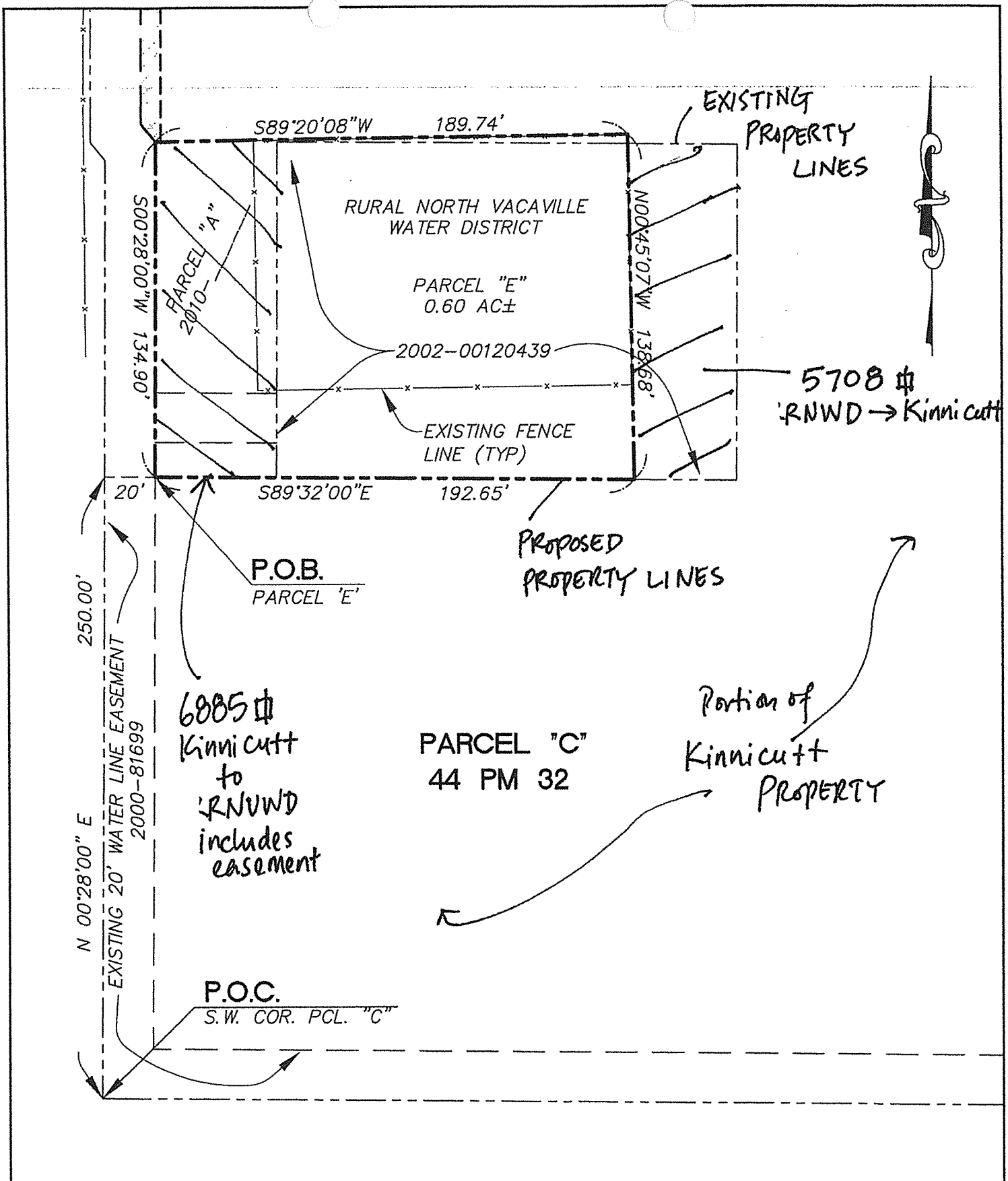
FILE COPY

LA-13-03
Assessor's Map Bk. 105
County of Solano, C

12-13

James F. Talbot Sub - R.M. Bk. 2, Pg. 8

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



FGA FOULK, GOMEZ & ASSOCIATES, INC.
 Civil Engineering Land Surveying Planning
 4777 Mangels Boulevard, Fairfield, CA 94534
 (707)864-0764 fax (707)864-0788 e-mail: FGA@foulkgomez.com

**RURAL NORTH VACAVILLE
 WATER DISTRICT
 PARCEL "E"
 VACAVILLE, CALIFORNIA**

SCALE: 1"=50'
DATE: 10/29/10
DWG. FILE: 10-002-REV1
JOB NO: 10-002
DRAWN BY: SMC
CHECKED BY: BDF

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

WHEREAS, the Solano County Zoning Administrator has considered Lot Line Adjustment Application No. LLA-13-03 and Certificate of Compliance No. CC-13-09 of **Rural North Vacaville Water District (Kinnicutt)** to reconfigure two parcels to allow for more accessibility at 4400 Buena Vista Lane, located 2 miles north of the City of Vacaville in an "A-20" Exclusive Agricultural Zoning District, APN's: 0105-090-160 and 120, 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 November 21, 2013, 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 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.

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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.

- 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 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 map submitted with lot line adjustment application LLA-13-03, dated 09/24/2013 prepared by FGA Foulk, Gomez & Associates, on file with the Planning Services Division.
2. A Certificate of Compliance, demonstrating that the subject lot line has been adjusted to State and County regulations shall be recorded by the applicant subject to the satisfaction of the Planning Services Division. Preparation of the Certificate of Compliance shall be withheld by this division until all requirements of this approval have been satisfactorily completed.

In order to complete 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 approval by the Planning Division of the legal descriptions, 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, and to record the Certificate of Compliance concurrently with the new grant deeds.

I hereby certify that the foregoing resolution was adopted at the regular meeting of the Solano County Zoning Administrator on November 21, 2013.

**BILL EMLLEN, DIRECTOR
RESOURCE MANAGEMENT**

Michael Yankovich
Planning Program Manager