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**DEPARTMENT OF RESOURCE MANAGEMENT**



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Planning Services Division

**SOLANO COUNTY ZONING ADMINISTRATOR**

**Staff Report  
LLA-15-02 & CC-15-04**

<b>Application No.</b> LLA-15-02 (Willowbank & Hung Fat Farms) <b>Project Planner:</b> Eric Wilberg, Associate Planner		<b>Meeting of July 2, 2015 Agenda Item No. 5</b>	
<b>Applicant (Property Owner)</b> Willowbank Farms, LLC c/o Tim Ruff PO BOX 4188 Davis, CA 95617		<b>Additional Property Owners</b> Hung Fat Farms, LLC 28250 Mace Boulevard Davis, CA 94122	
<b>Action Requested</b> Request for Zoning Administrator approval of a Lot Line Adjustment application to reconfigure the property boundaries of four adjacent legal lots located just south of the City of Davis; APNs 0110-070-050, 0110-080-030, 050, and 070			
<b>Property Information</b>			
Size: 206 acres (aggregate of all parcels)		Location: off Mace Blvd.	
APNs: 0110-080-030, 0110-070-050, 0110-080-050, 0110-080-070			
Zoning: Exclusive Agriculture 'A-40'		Land Use: Seasonal row crop	
General Plan: Agriculture		Ag. Contract: n/a	
Utilities: On-site water and septic upon development		Access: Mace Blvd & private easement	
<b>Adjacent General Plan Designation, Zoning District, and Existing Land Use</b>			
	<b>General Plan</b>	<b>Zoning</b>	<b>Land Use</b>
<b>North</b>	Agriculture	Exclusive Agriculture 'A-40'	Agriculture/row crop
<b>South</b>	Agriculture	Exclusive Agriculture 'A-40'	Agriculture/row crop
<b>East</b>	Agriculture	Exclusive Agriculture 'A-40'	Agriculture/row crop
<b>West</b>	Agriculture	Exclusive Agriculture 'A-40'	Agriculture/row crop
<b>Environmental Analysis</b> 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).			
<b>Motion to Approve</b> The Zoning Administrator does hereby ADOPT the attached resolution and APPROVE Lot Line Adjustment No. LLA-15-02 based on the enumerated findings and subject to the recommended conditions of approval.			

## **SETTING**

The subject site consists of four Assessor's Parcels located near the northeastern extent of Solano County, just south of the City of Davis. The entire 206 acres is relatively flat, exhibiting slopes of less than six percent. The acreage is devoted primarily to vegetable row crop production. Development consists of one 5,820 sq. ft. agricultural accessory structure (shed) located on APN 0110-080-030.

The surrounding properties are utilized for seasonal row crop production and agricultural homesites. The Harris Moran Seed Company is located south of the subject site. Residential development within the City of Davis lies just north of the subject site.

## **PROJECT DESCRIPTION**

The subject site consists of four legal lots. The three lots owned by Willowbank Farms, LLC (APNs 0110-070-050, 0110-080-050, and 0110-080-070) were created by recorded Parcel Map PM 50-50 on 12/20/2012 (Minor Subdivision MS-12-05). The lot owned by Hung Fat Farms, LLC (APN 0110-080-030) was created by a Grant Deed recorded 11/13/1958. The adjustment would ultimately enlarge the Hung Fat property by transferring 7.33 acres to it. As indicated on the tentative Lot Line Adjustment map, the reconfiguration will result in the following lot sizes:

Parcel 1 = 41 acres  
Parcel 2 = 41.58 acres  
Parcel 3 = 41.58 acres  
Parcel 4 = 82 acres

An undeveloped, 60 foot wide private access easement established via recorded Parcel Map PM 50-50 (Minor Subdivision MS-12-05) would continue to serve reconfigured Parcels 1, 2, and 3. Parcel 4 derives access directly from Mace Boulevard (County Road 104). Domestic water well(s) and private septic systems would be required upon residential development for each parcel. No residential development is proposed as part of this lot line adjustment application.

## **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. All newly configured lots exceed the 40 acre minimum parcel size required of the 'A-40' Zoning District. The existing agricultural land use remains consistent with the allowed uses of the district and the accessory structure on APN 0110-080-030 exceeds the minimum development standards (setback requirements) to the reconfigured parcel boundaries.

## **SUBDIVISION ORDINANCE**

The four lots are considered legal lots meaning each has met 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 lesser number of lots than originally existed.

## **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-15-02 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 four 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-15-02, dated April 20, 2015 prepared by Laugenour and Meikle, filed April 28, 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

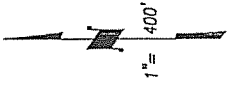
FILE COPY

11A-15-02

POR. SEC.'S 13 & 24, T.8N., R.2E., M.D.B.& M.

Tax Area Code  
62000

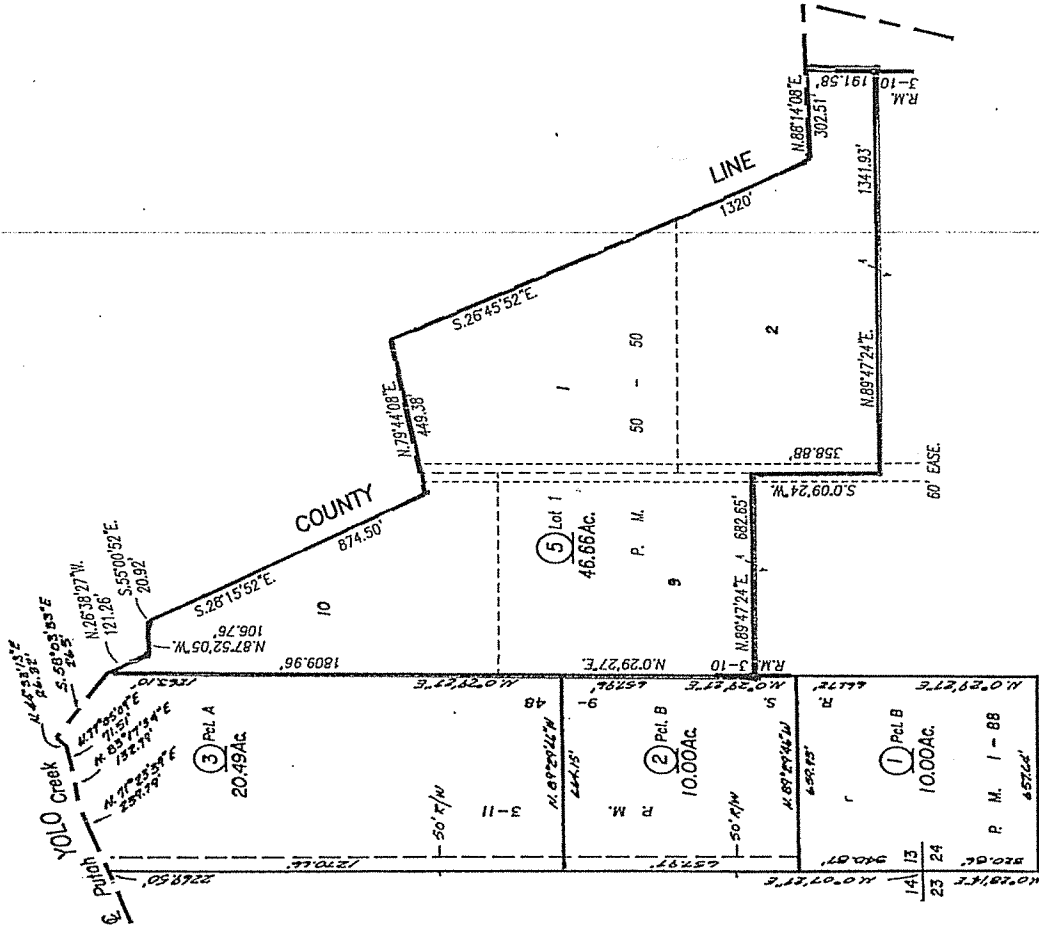
110-07



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EXHIBIT A



06

08

Assessor's Map Bk. 110 Pg. 07  
County of Solano, Calif.

13-14

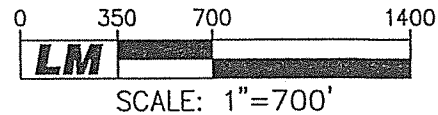
NOTE: This map is for assessment purposes only. It is not intended to define legal boundary rights or imply compliance with land division laws.

REVISION	DATE	BY
07-05 (Pm)	12-20-12	Cr

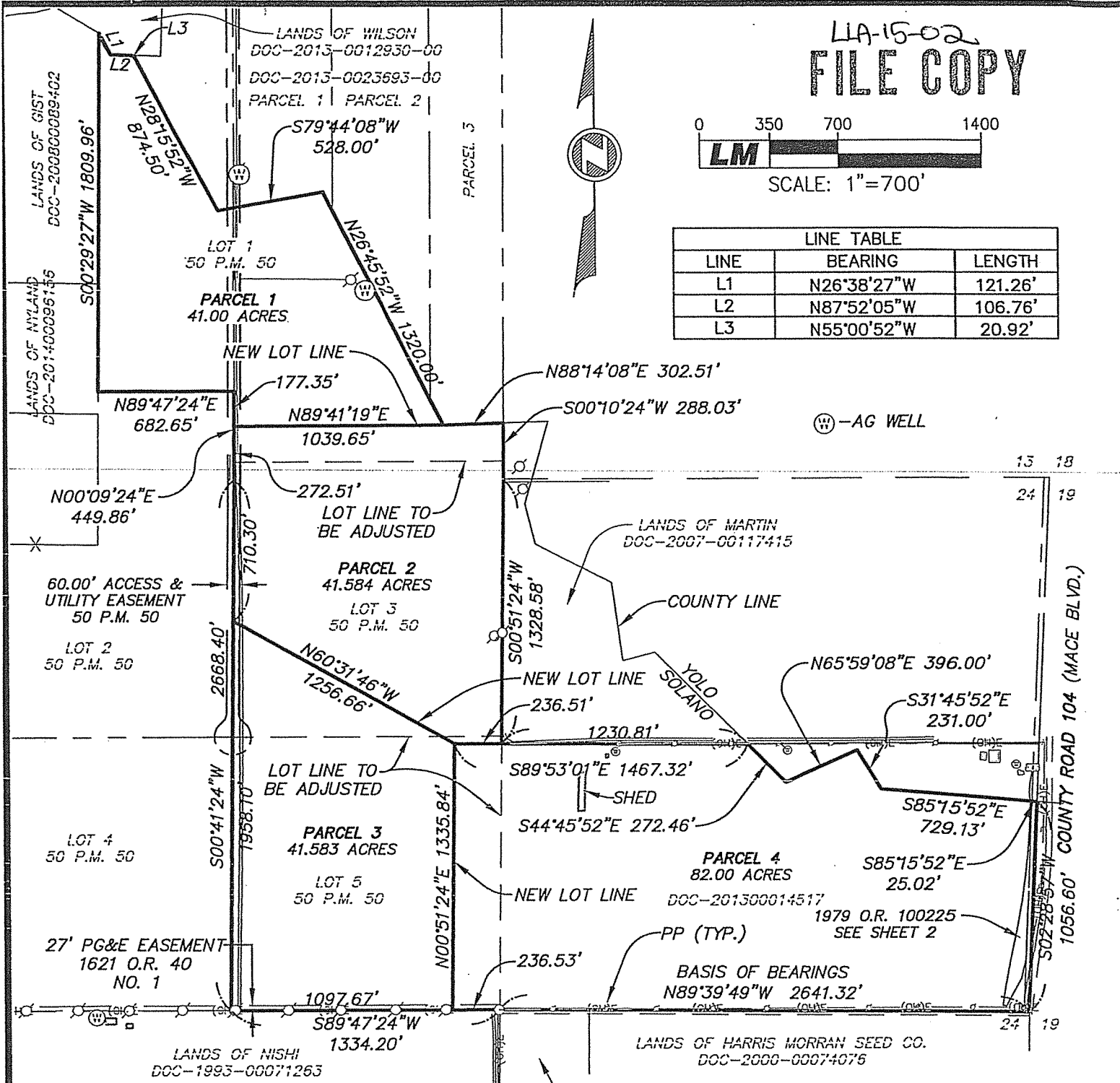
Ashley's Subdivision, R.M. Bk. 3 Pg. 10

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

LA-15-02  
FILE COPY



LINE TABLE		
LINE	BEARING	LENGTH
L1	N26°38'27"W	121.26'
L2	N87°52'05"W	106.76'
L3	N55°00'52"W	20.92'



LANDS OF BELL & SEILER  
DOC-201400020059

EXHIBITS TO ACCOMPANY A DESCRIPTION  
**WILLOWBANK FARMS, LLC &  
HUNG FAT FARMS, LLC**  
BEING A PORTION OF SECTIONS 13 & 24,  
TOWNSHIP 8 NORTH, RANGE 2 EAST, MDM,  
UNINCORPORATED AREA OF SOLANO COUNTY, CA

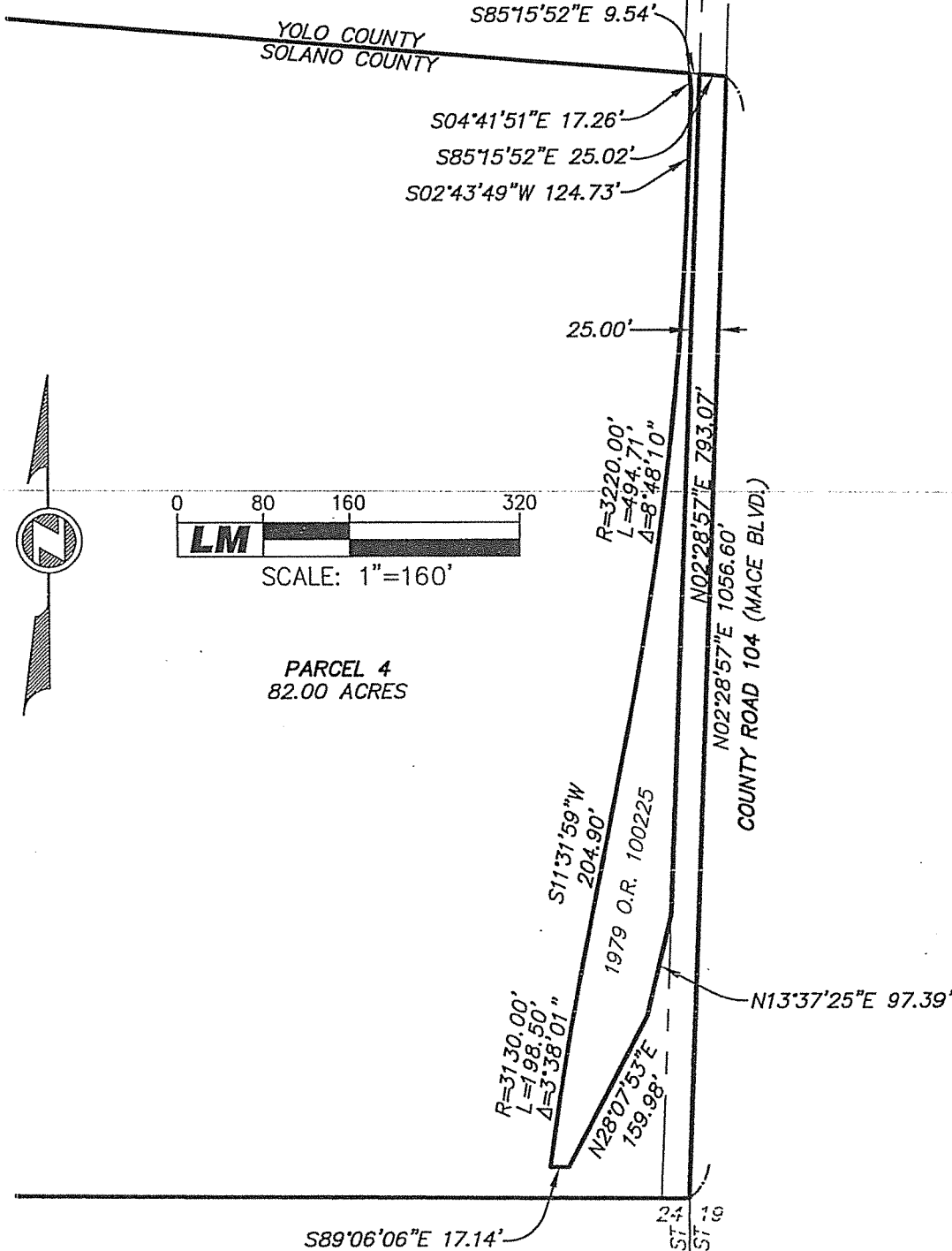
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P.O. BOX 603, WOODLAND, CALIFORNIA 957

*Christopher W. Lerch*  
CHRISTOPHER W. LERCH  
4-20-15  
DATE

#3781-1

LANDS OF HUNG FAT FARMS  
DOC-2013-0004634-00



PARCEL 4  
82.00 ACRES

LANDS OF HARRIS MORRAN SEED CO.  
DOC-2000-00074076

EXHIBITS TO ACCOMPANY A DESCRIPTION  
**WILLOWBANK FARMS, LLC &  
HUNG FAT FARMS, LLC**  
BEING A PORTION OF SECTIONS 13 & 24,  
TOWNSHIP 8 NORTH, RANGE 2 EAST, MDM,  
UNINCORPORATED AREA OF SOLANO COUNTY, CA

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SHEET 2 OF 2                      APRIL 15, 2015

#3781-1



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

WHEREAS, the Solano County Zoning Administrator has considered Lot Line Adjustment Application No. LLA-15-02 and Certificate of Compliance No. CC-15-04 of Tim Ruff (Hung Fat Farms & Willowbank Farms) to reconfigure 4 adjacent parcels located 1 mile south of the City of Davis in an "A-40" Exclusive Agricultural Zoning District, APN's: 0110-080-030, 050, 070; 0110-070-050, 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 2, 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 four 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 Lot Line Adjustment Application No. LLA-15-02 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-15-02, dated April 20, 2015 prepared by Laugenour and Meikle, filed April 28, 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.

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I hereby certify that the foregoing resolution was adopted at the regular meeting of the Solano County Zoning Administrator on July 2, 2015.

BILL EMLLEN, DIRECTOR  
RESOURCE MANAGEMENT

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Michael Yankovich  
Planning Program Manager