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DEPARTMENT OF RESOURCE MANAGEMENT



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Planning Services Division

SOLANO COUNTY ZONING ADMINISTRATOR

**Staff Report
 LLA-16-04 / CC-16-08**

Application No. LLA-16-04 (McLean) Project Planner: Eric Wilberg, Planner Associate		Meeting of March 2, 2017 Agenda Item No. 1	
Applicant (Property Owner) R Kelly McLean 4912 Central Way Fairfield, CA 94533			
Action Requested Zoning Administrator consideration of Lot Line Adjustment LLA-16-04 to reconfigure a common property line between two adjacent parcels.			
Property Information			
Size: 40,946 (aggregate square feet)		Location: 4912 Central Way	
APNs: 0044-080-0030 and 38			
Zoning: Residential Traditional Community Mixed Use "RTC-MU"		Land Use: Commercial office	
General Plan: Traditional Community Mixed Use "TC-MU"		Ag. Contract: N/A	
Utilities: City of Fairfield water and sewer		Access: Central Way	
Adjacent General Plan Designation, Zoning District, and Existing Land Use			
	General Plan	Zoning	Land Use
North	City of Fairfield	City of Fairfield	Commercial – Building supply
South	TC-MU	RTC-MU	Spectrum Center school
East	TC-MU	RTC-MU	Vacant
West	City of Fairfield	City of Fairfield	Interstate 680
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-16-04 based on the enumerated findings and subject to the recommended conditions of approval.			

RECOMMENDATION

The Department of Resource Management recommends that the Zoning Administrator **ADOPT** the attached resolution with respect to the findings, and **APPROVE** Lot Line Adjustment LLA-16-04 subject to the recommended conditions of approval.

SUMMARY

The property owner, R Kelly McLean, is proposing to adjust the common parcel line between two adjacent lots. The lot line adjustment will result in a net transfer of 8978.6 square feet from Parcel 1 to Parcel 2. The property is not subject to a Land Conservation Contract, thus action may be taken by the Zoning Administrator.

SETTING

The subject site is situated along Central Way southeast of the intersection of Interstates 80 and 680 adjacent to the City of Fairfield. The relatively flat site is comprised of two legal lots totaling 0.91 acres. The property is bordered to the north by a small, vacant lot within the City of Fairfield. The site is bound to the east by Central Way, to the south by I-680 off ramp and Spectrum School beyond, and to the west by Interstate 680.

Parcel 1 is developed with 2,647 sq. ft., two story commercial office building and paved parking lot. The structure is served by municipal water and sewer, as well as underground electric, communications, and an on-site propane tank. Parcel 2 is developed with a storage structure and 20 foot high directional sign (billboard) permitted via Use Permit U-98-25.

PROJECT DESCRIPTION

The proposed lot line adjustment would reconfigure a common parcel line between two adjacent lots. Parcel 1 (APN 0044-080-380) is currently 28,585 square feet and would decrease to 19,607 sq. ft. Parcel 2 (APN 0044-080-030) is currently 11,015 sq. ft. and would increase to 19,994 sq. ft. The adjustment would result in the transfer of 8,978 sq. ft. Both proposed lots will have frontage along and developed access to Central Way.

ANALYSIS

Land Use Consistency

Figure LU-1 of the Solano County General Plan designates the project site Traditional Community Mixed Use. As seen on the General Plan/Zoning Consistency table (Table LU-7, General Plan), the Residential Traditional Community Mixed Use "RTC-MU" Zoning District is consistent with the General Plan designation. Both lots will continue to exceed the 4,000 sq. ft. minimum lot size specified under zoning.

The existing land use and proposed parcel sizes are consistent with the General Plan designation and Zoning District regulations. Existing development on-site will continue to maintain minimum set back requirements to property lines.

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 RTC-MU Zoning District. The proposal involves the reconfiguration of two legal lots and no new lots would be created.

In order to finalize the lot line adjustment the applicant shall 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. This step also enables the Certificate of Compliance process which ultimately memorializes an approved lot line adjustment.

ENVIRONMENTAL REVIEW

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 enumerated findings, and **APPROVE** Lot Line Adjustment LLA-16-04 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 Certificate shall be obtained from the County Tax Collector. This document shall be provided by the applicant to the Planning Services Division. The Tax Certificate shall be recorded as part of the Certificate of Compliance package.

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-16-04, prepared by JES Engineering, Inc., filed August 15, 2016 with the Planning Services Division.
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 Planning Commission. 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 by the applicant 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, 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 their Title Company to complete the Certificate of Compliance package:

- 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 completing the Lot Line Adjustment approval process.

Attachments:

- A - Draft Resolution
- B - Assessor Parcel Map
- 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-16-04 and Certificate of Compliance No. CC-16-08 of **R. Kelly McLean** to reconfigure a common parcel boundary between two adjacent lots located at 4912 Central Way just south of the City of Fairfield within the Residential Traditional Community Mixed Use "RTC-MU" Zoning District, APN's: 0044-080-380 and 030, 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 March 2, 2017, 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 Certificate shall be obtained from the County Tax Collector. This document shall be provided by the applicant to the Planning Services Division. 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 No. LLA-16-04 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-16-04, prepared by JES Engineering, Inc., filed August 15, 2016 with the Planning Services Division.
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 Planning Commission. 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 by the applicant 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, 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 their Title Company to complete the Certificate of Compliance package:

- 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 completing the Lot Line Adjustment approval process.

I hereby certify that the foregoing resolution was adopted at the regular meeting of the Solano County Zoning Administrator on March, 2017.

BILL EMLLEN, DIRECTOR
RESOURCE MANAGEMENT

Michael Yankovich
Planning Program Manager

R:\PLANNING\ALL ZONING ADMINISTRATOR STAFF REPORTS\2017\March 2, 2017\LLA-16-04 (McLean)\LLA-16-04 (McLean) ZA Resolution.docx(February 24, 2017)

DRAFT

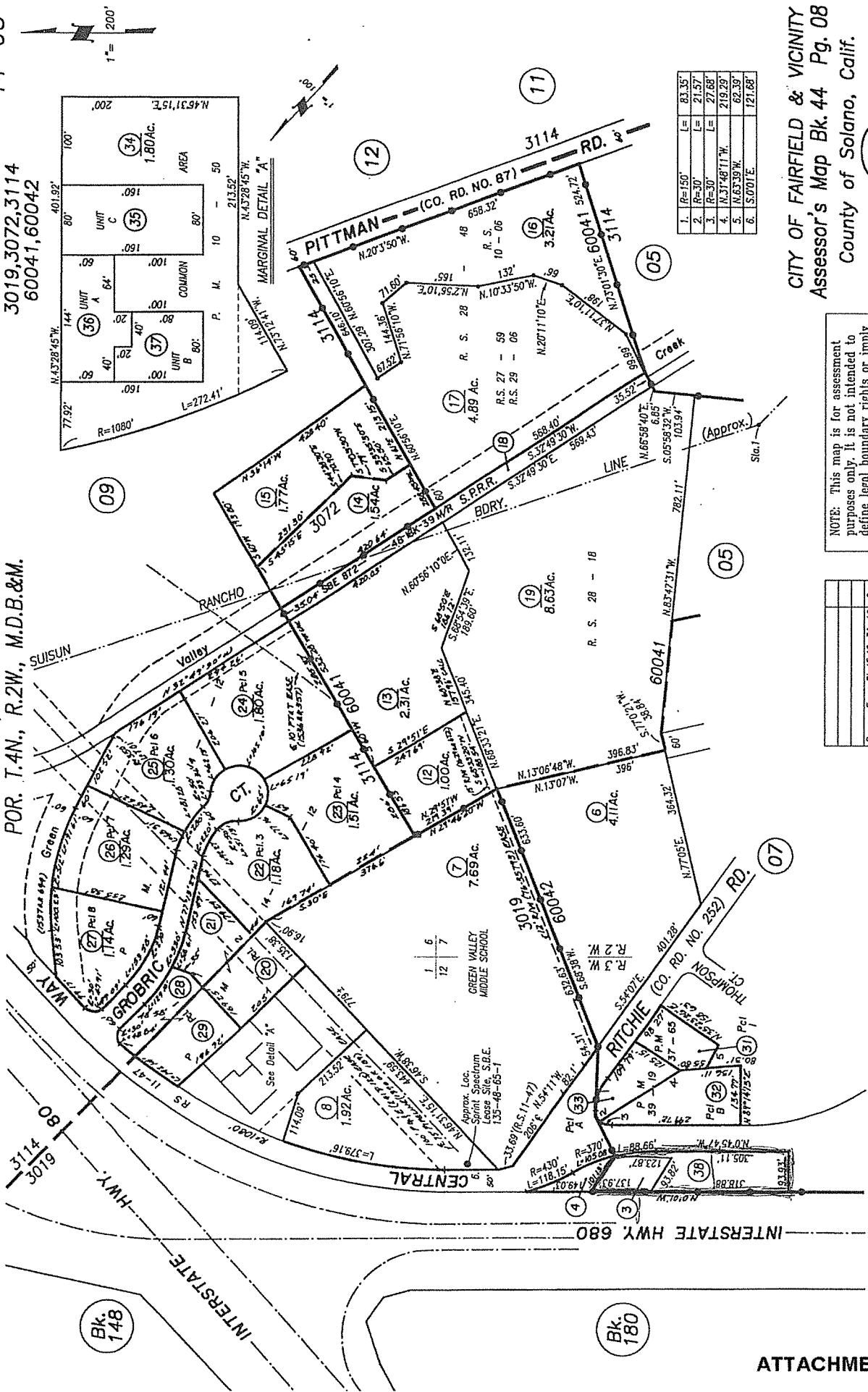
FILE COPY

LA-16-04

POR. LOT 37, SUISUN RANCHO
POR. T.4N., R.2W., M.D.B.&M.

Tax Area Code
3019,3072,3114
60041,60042

44-08



1. R=150'	L= 83.35'
2. R=30'	L= 21.87'
3. R=30'	L= 27.88'
4. N.31'48.11\" W.	L= 219.29'
5. N.63'39\" W.	L= 62.39'
6. S.09'11\" E.	L= 121.88'

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

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

CITY OF FAIRFIELD & VICINITY
Assessor's Map Bk. 44 Pg. 08
County of Solano, Calif.

11-12

TENTATIVE LOT LINE ADJUSTMENT MAP

BEING PARCELS 1 AND 2 OF THE LANDS OF "R. KELLY MCLEAN", AS DEPICTED IN GRANT DEED DOCUMENT NUMBER 2016-28377 SOLANO COUNTY RECORDS; COUNTY OF SOLANO, STATE OF CALIFORNIA, AND AS SHOWN ON THAT CERTAIN RECORD OF SURVEY RECORDED AUGUST 4TH, 2016 BOOK 32 AT PAGE 25, SOLANO COUNTY RECORDS.

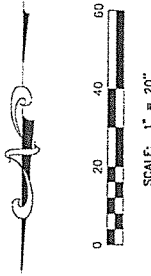
JULY 2016.



PROFESSIONAL SEAL



BY: **R. KELLY MCLEAN** RCE 33249
 LICENSE EXPIRATION DATE: 06-30-2018



SURVEYORS STATEMENT:

THIS MAP CORRECTLY REPRESENTS A SURVEY MADE BY ME OR UNDER MY DIRECTION IN CONFORMANCE WITH THE REQUIREMENTS OF THE PROFESSIONAL LAND SURVEYORS' ACT AT THE REQUEST OF MR. DAVID MILLER NOVEMBER, 2015.

- REFERENCES:**
- (1) 32 RS 25
 - (2) GRANT DEED DOCUMENT NUMBER 2016-28377 PARCELS 1&3
 - (3) GRANT DEED DOCUMENT NUMBER 2016-28377 PARCEL 2

LEGEND:

- FOUND 5/8" x 30" REBAR, TAGGED RCE 33249 PER 32 RS 25
- FOUND
- FOUND
- (C) CALCULATED
- (T) TOTAL
- O.R. OFFICIAL RECORDS
- EM ELECTRIC METER
- EV ELECTRICAL VAULT
- PP POWER POLE
- PT PROPANE TANK
- TE TRASH ENCLOSURE
- SPN SEARCHED FOUND NOTHING
- UN. UNLESS OTHERWISE NOTED
- U.O.N. UNLESS OTHERWISE NOTED
- COG. CALCULATED
- PROPOSED LOT BOUNDARY
- EXISTING LOT LINE TO BE REMOVED
- E- OVERHEAD ELECTRICAL LINE
- E- EXISTING UNDERGROUND ELECTRICAL LINE
- C- EXISTING UNDERGROUND COMMUNICATION LINE
- TEL- EXISTING UNDERGROUND TELEPHONE LINE
- SS- EXISTING UNDERGROUND SANITARY SEWER
- W- EXISTING UNDERGROUND WATER LINE

EXISTING PARCEL SIZES

- PARCEL 1 70543.7 SF. 0.66 ACRES
- PARCEL 2 70824.8 SF. 0.65 ACRES
- PARCEL 1 19607.1 SF. 0.45 ACRES
- PARCEL 2 19991.4 SF. 0.46 ACRES

PROPOSED PARCEL SIZES

- PARCEL 1 19607.1 SF. 0.45 ACRES
- PARCEL 2 19991.4 SF. 0.46 ACRES

NOTES:

1. THIS MAP IS BEING FILED PURSUANT TO SECTION 8762 (b)(4) OF THE PROFESSIONAL LAND SURVEYORS' ACT.
2. ALL MEASURED DISTANCES SHOWN ON THIS MAP ARE IN FEET AND DECIMALS THEREOF.
3. ALL DISTANCES ARE IN FEET AND DECIMALS THEREOF.
4. NO EASEMENTS EXIST FOR EXISTING UTILITIES, WATER, SEWER, AND ELECTRICAL EASEMENTS WILL NEED TO BE CREATED PRIOR TO TRANSFER OF OWNERSHIP OF PARCELS 1 AND 2.

CENTRAL WAY (R/W VARIES)

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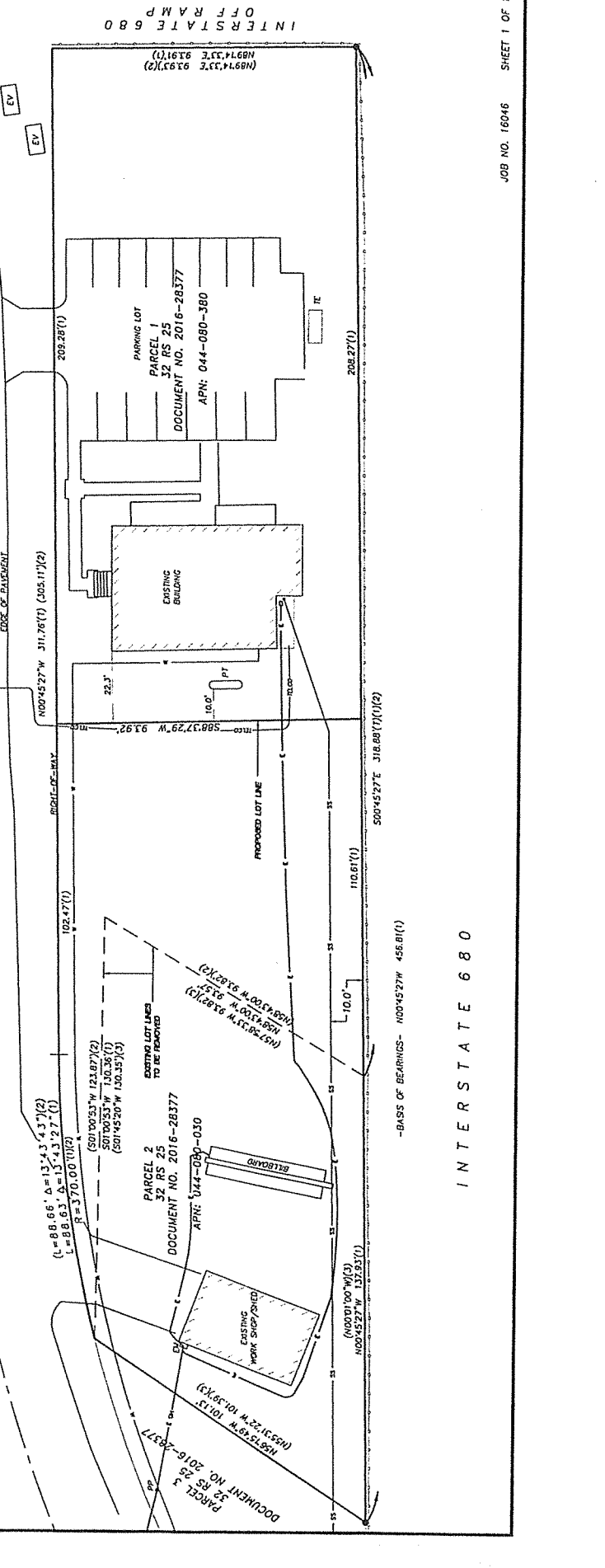
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INTERSTATE 680