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**DEPARTMENT OF RESOURCE MANAGEMENT**



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Planning Services Division

**SOLANO COUNTY ZONING ADMINISTRATOR**

**Staff Report**

**Loar/Dacus Lot Line Adjustment**

<b>Application No. LLA-18-02</b>		<b>Meeting of July 19, 2018</b>	
<b>Project Planner: Nedzlene Ferrario</b>		<b>Agenda Item No. 2</b>	
<b>Applicant:</b> Sean Tully Phillipi Engineering 425 Merchant Street, Suite 200 Vacaville, CA 95688		<b>Property Owners</b> Dave Dacus 4092 Suisun Valley Road Fairfield, CA 94534  Roger Loar 4094 Suisun Valley Road Fairfield, CA 94534	
<b>Action Requested:</b> Approval to adjust a common property line between two adjacent legal lots. The lot line adjustment will result in a net transfer of 0.58 acres from APN 0027-200-060 to 230, in the A-SV-20 acre minimum zone.			
<b>Property Information</b>			
Size: 6.49 acre & 3.61 acre		Location: 4092 Suisun Valley Road	
APNs: 0027-200-060 & 230			
Zoning: ASV-20		Land Use: Residential	
General Plan: Agriculture		Ag. Contract: N/A	
Utilities: sewer and septic, well and public water		Access: Suisun Valley Road	
<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	ASV-20	Residential
<b>South</b>	Agriculture	ASV-20	Residential
<b>East</b>	Agriculture	ASV-20	Residential
<b>West</b>	Traditional Community - Residential	RTC-1AC	Residential
<b>Environmental Analysis</b> Lot line adjustments are ministerial actions; and therefore, exempt from the provisions of CEQA per CEQA Section 21080 (b)(1)			
<b>Motion to Approve:</b> <b>ADOPT</b> the attached resolution with respect to the findings, and <b>APPROVE</b> Lot Line Adjustment LLA-18-02 subject to the recommended conditions of approval.			

**PROJECT DESCRIPTION:**

The proposal involves adjusting the common property line between APN 0027-200-230, owned by Roger and Pamela Loar and APN 0027-200-060, owned by Dave and Tara Dacus. Both parcels are currently developed with single family residences. Currently, the driveway access to Loar's residence is located on the adjacent property and exists through a shared private driveway. The purpose of the adjustment is to relocate the property line to the center line of the driveway and transfer 0.58 acres of land from Dacus to Loar. The table below details lot information and acreages.

<b>LOT/OWNER</b>	<b>APN</b>	<b>EXISTING ACREAGE</b>	<b>PROPOSED ACREAGE</b>	<b>NET TRANSFER</b>
1/Loar	0027-200-230	3.61 ac	4.19 ac	+0.58 ac
2/Dacus	0027-200-060	6.49 ac	5.91 ac	-0.58 ac

**ZONING CONSISTENCY**

Both properties are zoned Agriculture – Suisun Valley 20 acre minimum and designated Agriculture on the Land Use Diagram. However, both properties are less than the minimum required by zoning. The legal status of the properties were determined in 2006 and a Certificate of Compliance for both parcels was subsequently issued and recorded in 2006 (CC-06-01). APN 0027-200-230 was granted a Certificate of Compliance with the condition that legal access from Suisun Valley Road, in the form of an easement, shall be obtained for the property. The access easement was recorded subsequent to the approval. The lot line adjustment would reconfigure the property line to the centerline of the private roadway and convey land to APN 0027-200-230. The lots are legal non-conforming and continue to remain non-conforming.

**DOMESTIC WATER SUPPLY & SEWAGE DISPOSAL:**

Both homes are served by the City of Vallejo water system and the accessory dwelling is served by a well. There are existing wells on both properties and the lot line adjustment does not affect the existing wells.

The property at 4090 and 4092 Suisun Valley Road (APN 0027-200-060) is served by Fairfield Suisun Sewer District; however, 4094 Suisun Valley Road (APN 0027-200-230) utilizes onsite septic system approved by Solano County Environmental Health. Section 6.4-35 of the Solano County Code restricts decreases in size to, not more than 20%, in order to ensure adequate primary leachfield and reserve areas within the parcel. The applicants are requesting to decrease lot 2 by 8.9%; therefore, the proposal meets County standards.

**ENVIRONMENTAL ANALYSIS (CEQA)**

Lot line adjustments are ministerial actions; and therefore, exempt from the provisions of CEQA per CEQA Section 21080 (b)(1)

## RECOMMENDATION

**ADOPT** the attached resolution with respect to the findings, and **APPROVE** Lot Line Adjustment LLA-18-02 subject to the recommended conditions of approval.

## 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 the legal non-conforming lots will remain legal nonconforming in terms of A-SV-20 Zoning District development standards or minimum parcel size.

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

The lot line adjustment reconfigures two (2) existing legal parcels and will not create any new parcels.

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)].**

## CONDITIONS OF APPROVAL

1. The Lot Line Adjustment shall be established in compliance with the application materials and tentative lot line adjustment map filed for application no. LLA-18-02, dated April 19, 2018 prepared by Phillipi Engineering, on file with the Planning Services Division and as approved by the Planning Commission.
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:**

- Exhibit A - Draft Resolution
- Exhibit B - Lot Line Adjustment Exhibit

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

**WHEREAS**, the Solano County Zoning Administrator has considered Lot Line Adjustment Application No. LLA-18-02 and Certificate of Compliance No. CC-18-02 of Roger & Pamela Loar and David & Tara Dacus to adjust two legal non-conforming parcels into one 4.19 acre parcel and one 5.91 acre parcel, located at 4092 and 4094 Suisun Valley Road, Fairfield, APN's: 0027-200-060 & 230 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 19, 2018, 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 the legal non-conforming lots will remain legal nonconforming in terms of A-SV-20 Zoning District development standards or minimum parcel size.

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

The lot line adjustment reconfigures two (2) existing legal parcels and will not create any new parcels.

- 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-18-02 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-18-02, prepared by Phillipi Engineering, revised April 19 2018, on file 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 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 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.

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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 instruction for recordation with the Solano County Recorder, thus completing the Lot Line Adjustment approval 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 19, 2018.

BILL EMLLEN, DIRECTOR  
RESOURCE MANAGEMENT

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Michael Yankovich  
Planning Program Manager



