

BILL EMLN
 Director
 (707) 784-6765

TERRY SCHMIDTBAUER
 Assistant Director
 (707) 784-6765

MIKE YANKOVICH
 Planning Services Manager
 (707) 784-6765

DEPARTMENT OF RESOURCE MANAGEMENT



SOLANO COUNTY

675 Texas Street, Suite 5500
 Fairfield, CA 94533-6342
 (707) 784-6765
 Fax (707) 784-4805

www.solanocounty.com

Planning Services Division

SOLANO COUNTY ZONING ADMINISTRATOR
Staff Report
Vacaville S2 Investors Lot Line Adjustment

Application No. LLA-19-01 Project Planner: Nedzlene Ferrario		Meeting of March 7, 2019 Agenda Item No. 1	
Applicant: Sean Tully Phillipi Engineering 425 Merchant Street, Suite 200 Vacaville, CA 95688		Property Owners Vacaville S2 Investors 465 California Street, #3RD San Francisco, CA 94104	
Action Requested: Approval to adjust a common property line between two adjacent legal lots. The lot line adjustment will result in a net transfer of 40.12 acres from 0138-010-030 and 050 in the A-40-acre minimum zone.			
Property Information			
Size: 149.03 and 100.58 acre		Location: NEC Leisure Town and Elmira Road	
APNs: 0138-010-030 and 050			
Zoning: A-40		Land Use: Residential	
General Plan: Agriculture		Ag. Contract: N/A	
Utilities: future City of Vacaville public water and sewer		Access: Elmira Road	
Adjacent General Plan Designation, Zoning District, and Existing Land Use			
	General Plan	Zoning	Land Use
North	Agriculture	A-40	Vacant
South	Agriculture	A-40	Vacant
East	Agriculture	A-40	Vacant
West	Agriculture	A-40	Vacant
Environmental Analysis Lot line adjustments are ministerial actions; and therefore, exempt from the provisions of CEQA per CEQA Section 21080 (b)(1)			
Motion to Approve: ADOPT the attached resolution with respect to the findings and APPROVE Lot Line Adjustment LLA-19-01 subject to the recommended conditions of approval.			

PROJECT DESCRIPTION:

The application involves adjusting the common property line between APN 0138-010-030 and 050, owned by Vacaville S2 Investors, LLC. The property is within the City of Vacaville Sphere of Influence and approved for a major development known as The Farm at Alamo Creek. The land is currently under going annexation proceedings with the Solano Local Agency Formation Commission(LAFCO).

LOT/OWNER	APN	EXISTING ACREAGE	PROPOSED ACREAGE	NET TRANSFER
Vacaville S2 LLC	0138-010-030	149.03 ac	189.15 ac	40.12 ac
Vacaville S2 LLC	0138-010-050	100.58 ac	60.46 ac	-40.12 acres

GENERAL PLAN AND ZONING CONSISTENCY

Both properties are zoned Agriculture 40 acre minimum and designated Agriculture on the Land Use Diagram. The existing and proposed properties meet the zoning standards, and consistent with the General Plan.

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-19-01 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.**

The proposal is consistent with applicable regulations.

- 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-19-01, dated December 17, 2018 prepared by Phillip Engineering, on file with the Planning Services Division and as approved by the 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 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. XX**

WHEREAS, the Solano County Zoning Administrator has considered Lot Line Adjustment Application No. LLA-19-01 to adjust the common boundary line between APN's: 0138-010-030 and 050, located at the northeast corner of Leisure Town and Elmira Road, within the unincorporated Vacaville, 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 7, 2019, 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 regulations.

- 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-19-01 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-19-01, prepared by Phillipi Engineering, December 17, 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.

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:

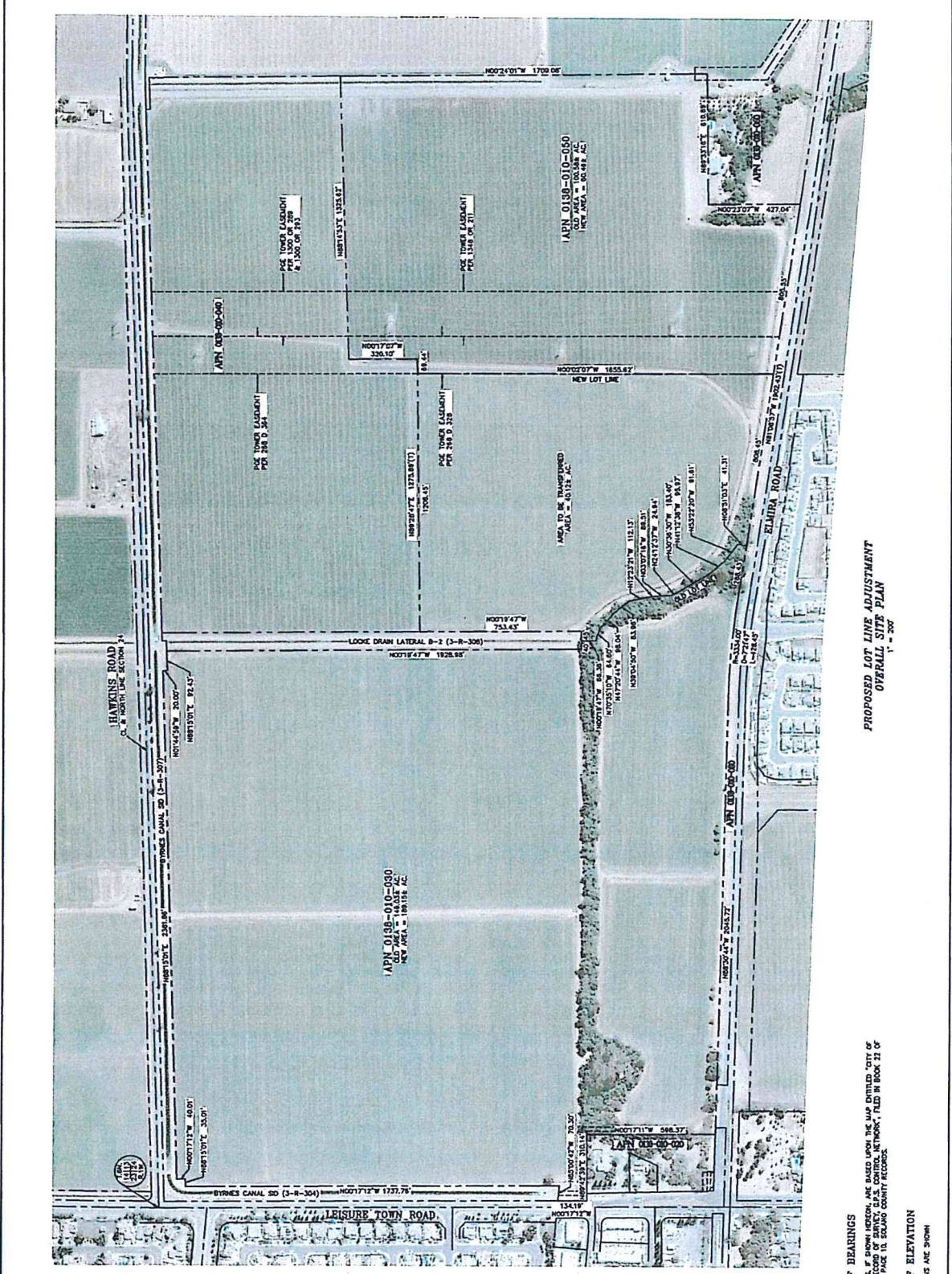
- a) Grant Deed(s) that convey the adjustment area(s) between the parcel owners.
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- c) A statement, certificate, or security indicating there are no liens against the properties for any unpaid taxes or special assessments. Property owners shall work 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 7, 2019.

BILL EMLLEN, DIRECTOR
RESOURCE MANAGEMENT

Michael Yankovich
Planning Program Manager



PROPOSED LOT LINE ADJUSTMENT
OVERALL SITE PLAN
1" = 200'

EXHIBIT B

BASIS OF BEARINGS
 THE BEARINGS, IF SHOWN HEREON, ARE BASED UPON THE LATEST DATED CITY OF
 VICINITY RECORD OF SURVEY, C.F.S. CONTROL NETWORK, FILED IN BOOK 22 OF
 SURVEYS, AT PAGE 10, SOLOANO COUNTY RECORDS.

BASIS OF ELEVATION
 NO ELEVATIONS ARE SHOWN