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DEPARTMENT OF RESOURCE MANAGEMENT



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Planning Services Division

SOLANO COUNTY ZONING ADMINISTRATOR
Staff Report
Lands of Foulk Lot Line Adjustment

Application No. LLA-19-02		Meeting of October 17, 2019	
Project Planner: Nedzlene Ferrario		Agenda Item No. 3	
Applicant: Johnson Land Surveys P.O. Box 392 Carnelian Bay, CA 96140		Property Owners: 4777 Mangels Condo LLC (0104-150-040) 4777 Mangels Blvd., Fairfield CA 94534 Bradley and Bernadette Foulk Revocable Trust (0104-150-050) 3620 Linda Vista Avenue, Napa, CA 94558	
Action Requested: Approval to adjust a common property line between two legal non-conforming lots. The lot line adjustment will result in a net transfer of 9.4 acres between APN 0104-150-050 and 040 in the A-20 zoning district.			
Property Information			
Size: 0.7 and 18.4 acres		Location: South of Skyhawk Lane	
APNs: 0104-150-050 & 040			
Zoning: A-20		Land Use: Residential	
General Plan: Residential		Ag. Contract: N/A	
Utilities: septic system and public water		Access: Skyhawk Lane	
Adjacent General Plan Designation, Zoning District, and Existing Land Use			
	General Plan	Zoning	Land Use
North	Watershed	A-20	Residential
South	Watershed	A-20	Residential
East	Watershed	A-20	Residential
West	Watershed	A-20	Residential
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: APPROVE Lot Line Adjustment LLA-19-02 subject to the findings and recommended conditions of approval contained in this report.			

PROJECT DESCRIPTION:

The application involves adjusting the common property line between APN 0104-150-040 and 050. The property is vacant, zoned Exclusive Agriculture 20 acre minimum (A-20), and accessed off Skyhawk Lane, a private road. APN 0104-150-040 is significantly smaller than APN 0104-150-050 and the purpose of the application is to adjust the size of both parcels for siting better home sites. The following is a breakdown of the existing, proposed and net transfer acreage.

OWNER	APN	EXISTING	PROPOSED	NET TRANSFER
4777 Mangels Blvd Condo LLC	0104-150-040	0.7	10.1 ac (Lot A)	+9.4
Fouk Revocable Trust	0104-150-050	18.4	9.0 ac (Lot B)	-9.4

The parcels are non-conforming in size for the zoning district; however, are determined to have legal lot status by the County Surveyor. Approval of the lot line adjustment will not create additional parcels.

GENERAL PLAN AND ZONING CONSISTENCY

Both properties are zoned Exclusive Agriculture 20 acre minimum (A-20) and consistent with the Agriculture Land Use Designation of the General Plan.

ENVIRONMENTAL ANALYSIS (CEQA)

Lot line adjustments are ministerial actions; and therefore, exempt from the provisions of the California Environmental Quality Act (CEQA) Section 21080 (b)(1).

RECOMMENDATION

APPROVE Lot Line Adjustment LLA-19-02 subject to the findings and recommended conditions of approval below.

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 non-conforming parcels. Additional parcels will not be created.

- 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-19-02 dated September 2019, prepared by Johnson Land Surveys Inc., 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.

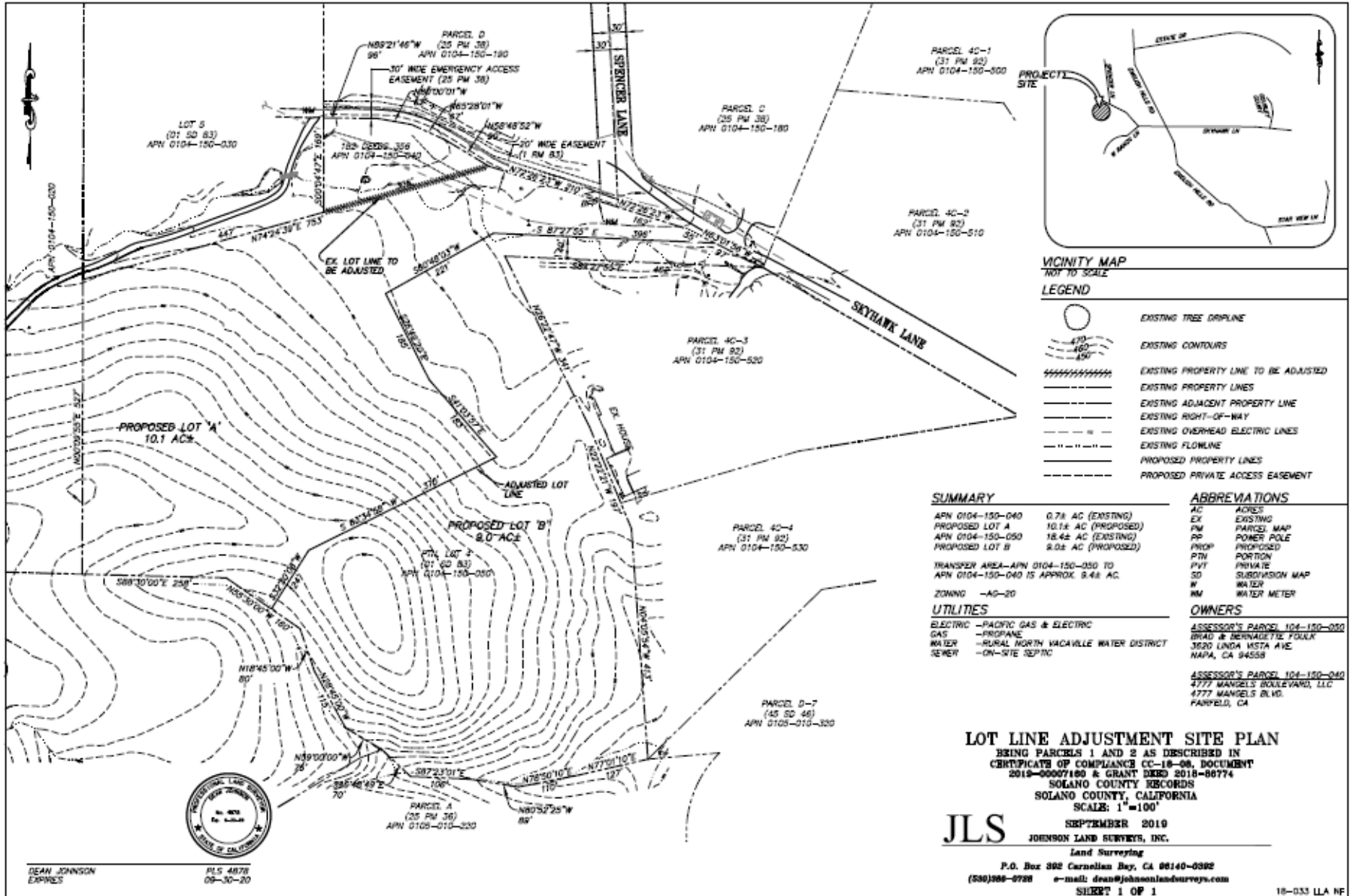
Once all of the necessary documents have been submitted to the Planning Division, a Certificate of Compliance package will be prepared and transmitted to the applicant's title company with instruction for recordation with the Solano County Recorder, thus completing the Lot Line Adjustment approval process.

Attachments:

Exhibit A – Lot Line Adjustment

Exhibit B - Location Map

EXHIBIT A LOT LINE ADJUSTMENT



SUMMARY

APN 0104-150-040	0.78 AC (EXISTING)
PROPOSED LOT A	10.1 AC (PROPOSED)
APN 0104-150-050	18.4 AC (EXISTING)
PROPOSED LOT B	9.0 AC (PROPOSED)

TRANSFER AREA-APN 0104-150-050 TO APN 0104-150-040 IS APPROX 9.4 AC.

UTILITIES

- ELECTRIC -PACIFIC GAS & ELECTRIC
- GAS -PROPANE
- WATER -RURAL NORTH VACAVILLE WATER DISTRICT
- SEWER -ON-SITE SEPTIC

ABBREVIATIONS

- AC ACRES
- EX EXISTING
- PM PARCEL MAP
- PP POWER POLE
- PROP PROPOSED
- PVN PORTION
- PVT PRIVATE SUBDIVISION MAP
- SD
- W WATER
- WM WATER METER

OWNERS

- ASSESSOR'S PARCEL 104-150-050
BRAD & BERNADETTE FOULK
3620 LINDA HSTA AVE
NAPA, CA 94558
- ASSESSOR'S PARCEL 104-150-040
4777 MANGELS BOULEVARD, LLC
4777 MANGELS BLVD
FAIRFIELD, CA

LOT LINE ADJUSTMENT SITE PLAN

BEING PARCELS 1 AND 2 AS DESCRIBED IN CERTIFICATE OF COMPLIANCE CC-18-08, DOCUMENT 2019-0007160 & GRANT DKRD 2018-86774 SOLANO COUNTY RECORDS SOLANO COUNTY, CALIFORNIA SCALE: 1"=100'

JLS SEPTEMBER 2019
JOHNSON LAND SURVEYS, INC.

Land Surveying
P.O. Box 302 Carnelian Bay, CA 96140-0302
(530)306-0788 e-mail: dean@johnsonlandsurveys.com

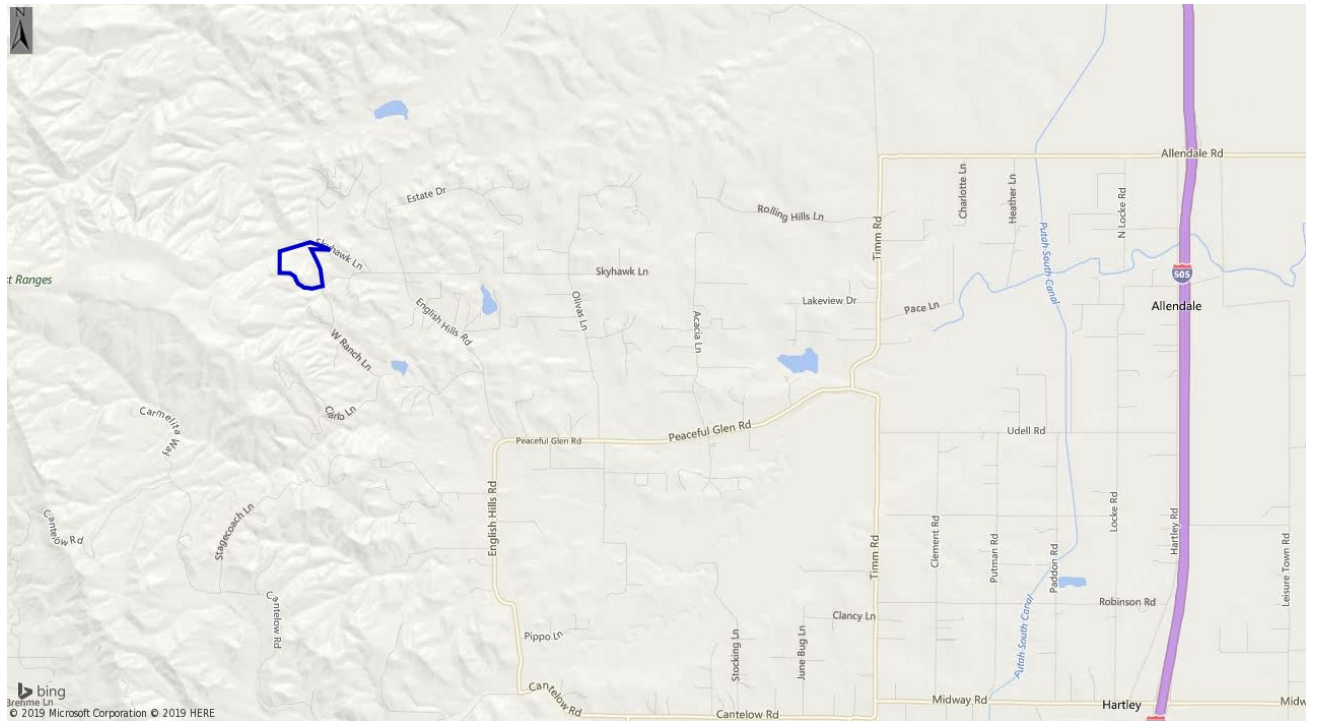


EXHIBIT B – LOCATION MAP

SOLANO COUNTY ZONING ADMINISTRATOR RESOLUTION NO. 19-XX

WHEREAS, the Solano County Zoning Administrator has Lot Line Adjustment Application No. LLA-19-02 and Certificate of Compliance No. CC-19-07 of **Bradley and Bernadette Foulk Revocable Trust and 4777 Mangels Condo LLC** to reconfigure APN's: 0104-150-050 and 0104-150-040. The property is located on the southside of Skyhawk Lane, within the Exclusive Agriculture 20 acre minimum, "A-20" Zoning District 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 October 17, 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 non-conforming parcels. Additional parcels will not be created.

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 --- subject to the following recommended 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-19-02 dated September 2019, prepared by Johnson Land Surveys Inc., 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.

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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.

I hereby certify that the foregoing resolution was adopted at the regular meeting of the Solano County Zoning Administrator on October 17, 2019.

BILL EMLER, DIRECTOR
RESOURCE MANAGEMENT

Michael Yankovich
Planning Program Manager

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