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Planning Services Division

SOLANO COUNTY ZONING ADMINISTRATOR

**Staff Report
LLA-22-06/CC-22-10**

Application No. LLA-22-06/ CC-22-10 (Stone, Helmus, & Ramirez) Project Planner: Jeffrey Lum, Senior Planner		Meeting of May 18, 2023 Agenda Item No. 1
Property Owner – Parcel A Janis M. Stone 6526 Gibson Canyon Rd. Vacaville, CA 95688 APN: 0105-070-490 & -500	Property Owner – Parcel B Mark & Joann Helmus 3771 Cantelow Rd. Vacaville, CA 95688 APN: 0105-100-110	Property Owner – Parcel C Martin & Maria Ramirez No Situs Address APN: 0105-070-470
Action Requested Lot Line Adjustment Application No. LLA-22-06 and Certificate of Compliance No. CC-22-10 of Stone, Helmus, and Ramirez for an adjustment of property boundaries between three adjoining property owners. The properties are located off Cantelow Road in rural Vacaville, within the Exclusive Agriculture “A-20”, APNs: 0105-070-490, -500, 0105-100-110, and 0105-070-470.		
General Plan Designation, Zoning District, and Existing Land Use		
	General Plan	Zoning
Subject Site	Agriculture	Exclusive Agriculture “A-20”
North	Agriculture	Exclusive Agriculture “A-20”
South	Agriculture	Exclusive Agriculture “A-20”
East	Rural Residential	Rural Residential “RR-5”
West	Agriculture	Exclusive Agriculture “A-20”
Environmental Analysis Staff recommends that the Zoning Administrator find that this Lot Line Adjustment is a ministerial action and is therefore exempt from the provisions of the California Environmental Quality (CEQA) pursuant to CEQA 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-22-06 subject to the recommended conditions of approval.		

Summary/Site Description

The matter before the Zoning Administrator (ZA) involves a previous Lot Line Adjustment (LLA) application that was approved by the ZA in 2015 but failed to complete the Certification of Compliance (CC) process (see Attachment A for Staff Report to the Zoning Administrator in July 16, 2015). It has come to light that the CC process required under the County's Subdivision Ordinance, Section 26-45 was not properly filed with the County Recorder's Office due to a failure by the title company to complete the process. The Subdivision Ordinance requires that the CC be recorded within one year from project approval. Since this did not occur, the project approval was nullified. As a result, the applicant, Janis Stone, is now re-applying for the same LLA application and wishes to seek ZA approval for the previous failed application. The purpose of this lot line adjustment is to facilitate a property sale transfer between the involved parties.

The subject site consists of three legal parcels located off Cantelow Road in rural Vacaville, within the Exclusive Agriculture "A-20" zoning district, APNs: 0105-070-490, -500, 0105-100-110, and 0105-070-470. All of the parcels consist of rolling hills covered in grasses and scattered with a variety of trees. A small creek meanders through Parcel C. Parcel A is vacant except for animal holding pens located just off Cantelow Road as Parcel A has been historically used for cattle grazing. Development on Parcel B consists of an 1800 square foot single family residence, with 800± square foot garage and a 1300± square foot metal barn. Parcel B is developed with a small gazebo and barn.

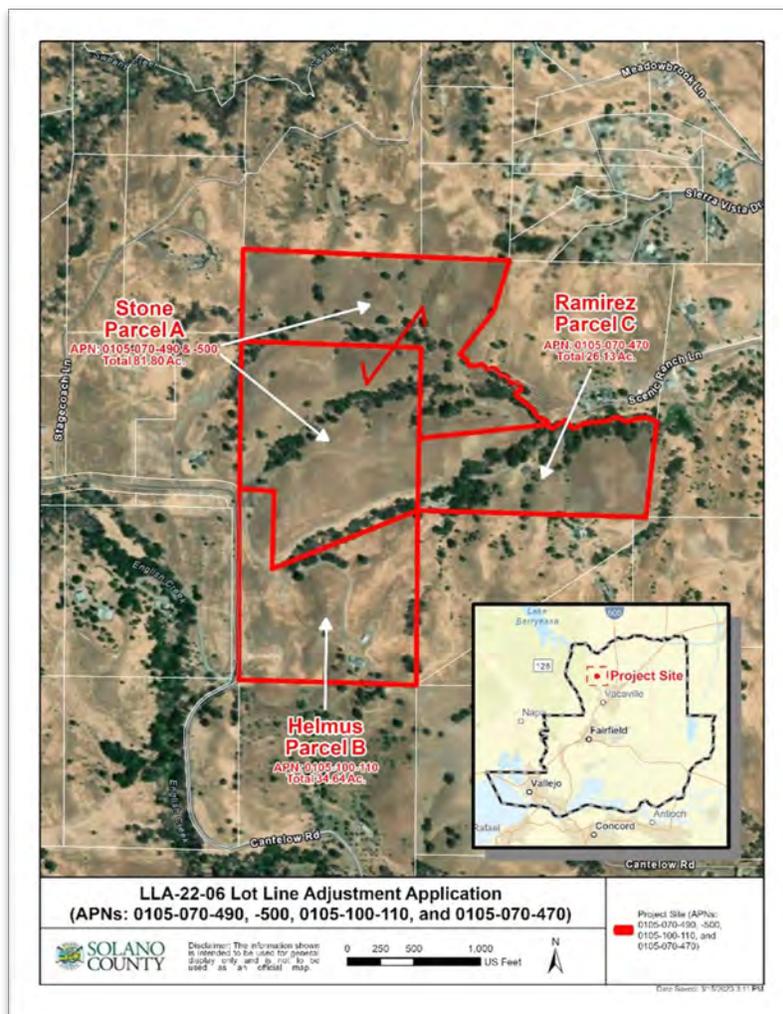


Figure 1 Vicinity Map

Project Description

The proposed lot line adjustment will adjust the boundary lines between three parcels.

Figure 2, the lot line adjustment map and related table below show the existing and proposed parcels configuration. The proposal will increase Parcel A by 0.3 acre, increase Parcel B by 5.36 acres and decrease Parcel C by 5.66 acres.

A 60-foot-wide private access easement from Cantelow Road will continue to serve the reconfigured parcels. Domestic water well(s) and private septic systems would be required upon residential development for each of the parcels. No residential development is proposed as part of this lot line adjustment.

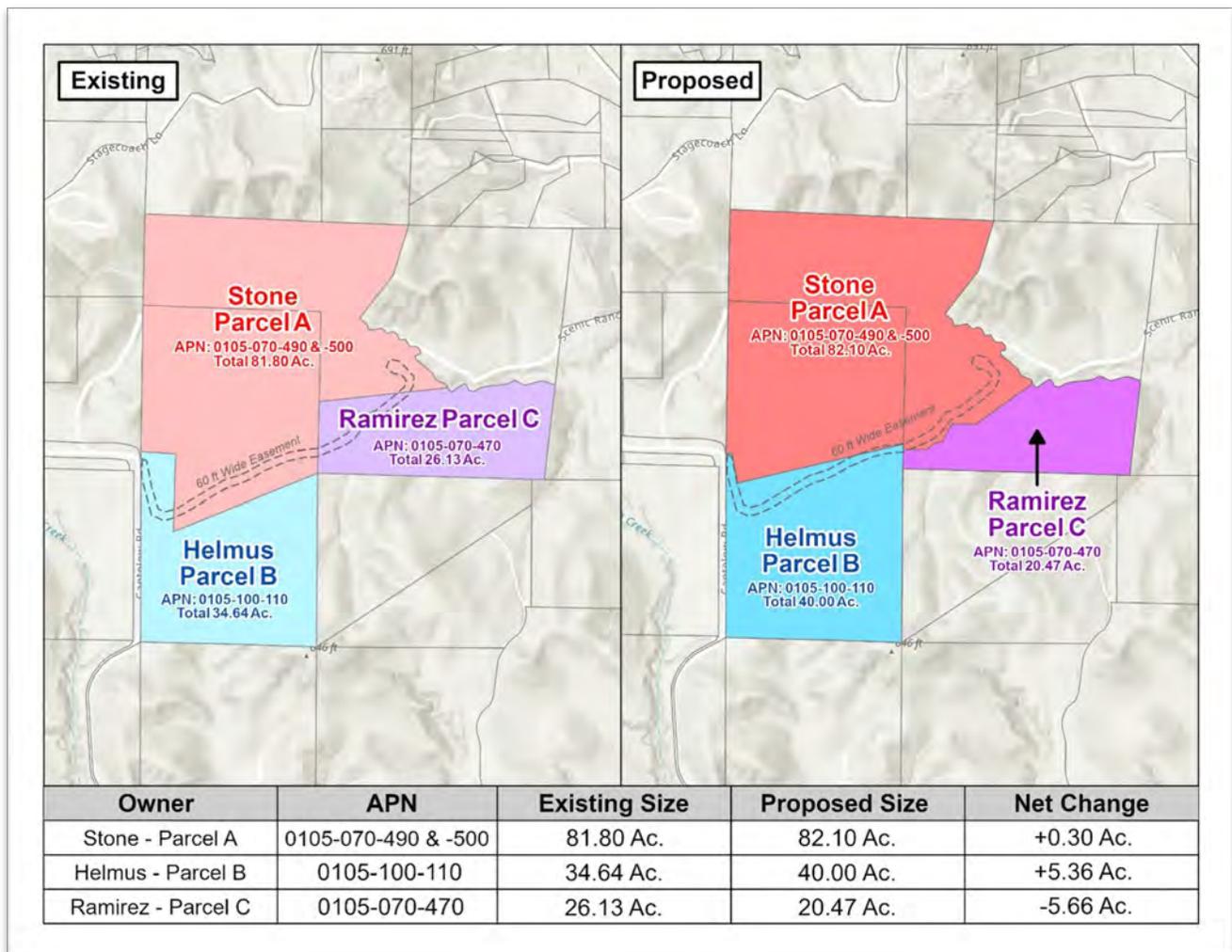


Figure 2 – Lot Line Adjustment Map and Table

Land Use Consistency

General Plan and Zoning

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 Agricultural (A-20) zoning of the properties is consistent with the General Plan designation. The proposed parcels will comply with the Zoning Ordinance's minimum parcel size requirements. All existing structures on each of the two parcels will meet the minimum set back requirements for residential structures and accessory buildings within the Exclusive Agricultural (A-20) zoning district, upon approval of the proposed lot line adjustment.

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 Exclusive Agriculture "A-20" Zoning District. The proposal involves adjustment of boundary lines between three parcels and no additional lots will be created. Further development on all three parcels will be required to meet all county development standards appropriate at the time of development.

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 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 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-22-04 subject to the recommended conditions of approval.

Attachments:

[A - Draft Resolution](#)

[B - Vicinity Map](#)

[C - Lot Line Adjustment Map and Table](#)

SOLANO COUNTY ZONING ADMINISTRATOR RESOLUTION NO. XX-XX

WHEREAS, the Solano County Zoning Administrator has considered Lot Line Adjustment Application No. LLA-22-06 and Certificate of Compliance No. CC-22-10 of Stone, Helmus and Ramirez for an adjustment of property boundaries between three contiguous property owners. The property is located near 3771 Cantelow Road, 2.25 miles northwest of the City of Vacaville in an "A-20" Exclusive Agricultural Zoning District, APN's: 0105-070-490, 500; 0105-100-110; and 0105-070-470; 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 May 18, 2023; 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 project is consistent with applicable building ordinances and zoning requirements for the Exclusive Agricultural "A-20" zoning district.

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

Three existing parcels are involved in the lot line adjustment and no new parcels will 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 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 Section 21080 (b) (1)].**

BE IT THEREFORE RESOLVED, that the Zoning Administrator has approved the lot line application LLA-22-06 subject to the following recommended conditions of approval:

1. The lot line adjustment shall established in compliance with the application materials and tentative lot line adjustment map filed for application no. LLA-22-06, dated September, 20, 2022 prepared by Brad Foulk, and as approved by the Solano County Zoning Administrator.
2. 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.

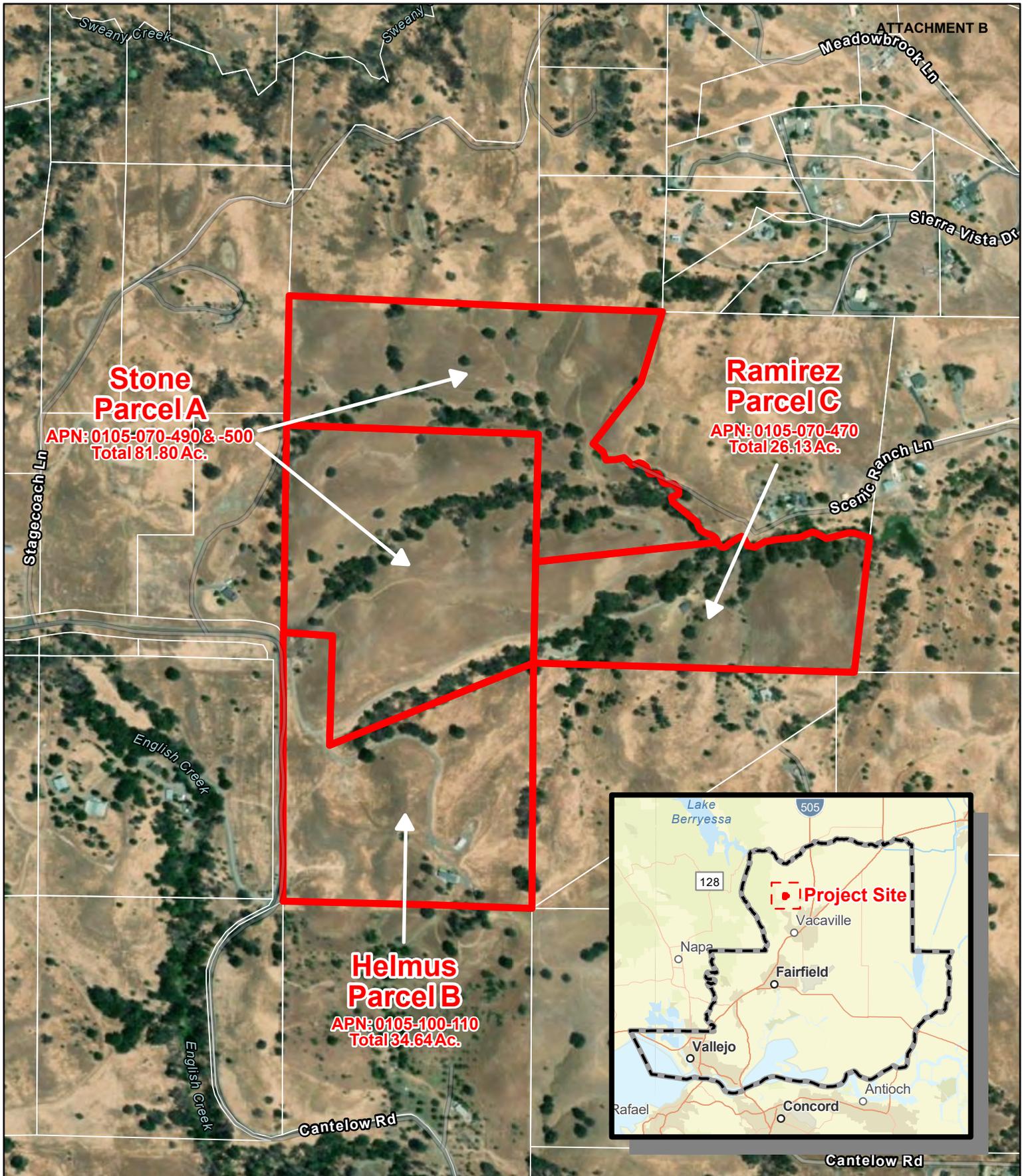
- 3. Deed of Trust agreements which encumber only portions of conforming legal lots are violations of the Subdivision Map Act. Prior to Department of Resource Management approval of the document for recordation, the applicant shall submit either recorded documents or documents to be recorded concurrently with the Lot Line Adjustment document, showing that any Deed of Trust agreements on the subject properties will conform with the adjusted lot boundaries.

* * * * *

I hereby certify that the foregoing resolution was adopted at the regular meeting of the Solano County Zoning Administrator on May 18, 2023.

ALLAN CALDER, ZONING ADMINISTRATOR
RESOURCE MANAGEMENT

Allan Calder, Planning Services Manager
Department of Resource Management



ATTACHMENT B

Stone Parcel A

APN: 0105-070-490 & -500
Total 81.80 Ac.

Ramirez Parcel C

APN: 0105-070-470
Total 26.13 Ac.

Helmus Parcel B

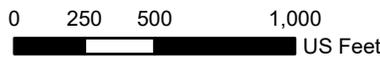
APN: 0105-100-110
Total 34.64 Ac.

LLA-22-06 Lot Line Adjustment Application

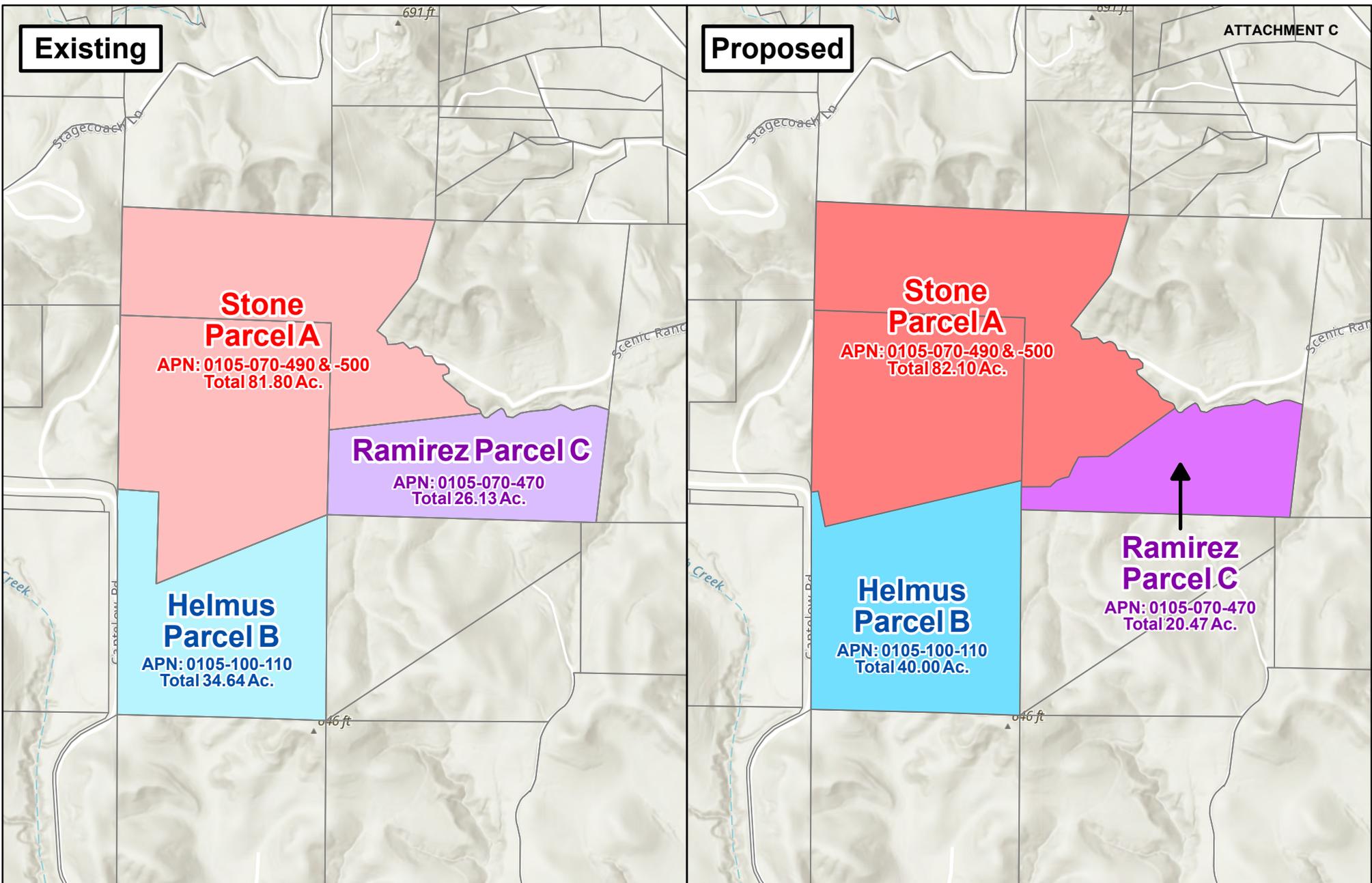
(APNs: 0105-070-490, -500, 0105-100-110, and 0105-070-470)



Disclaimer: The information shown is intended to be used for general display only and is not to be used as an official map.



Project Site (APNs:
0105-070-490, -500,
0105-100-110, and
0105-070-470)



Existing

Proposed

Stone Parcel A

APN: 0105-070-490 & -500
Total 81.80 Ac.

Ramirez Parcel C

APN: 0105-070-470
Total 26.13 Ac.

Helmus Parcel B

APN: 0105-100-110
Total 34.64 Ac.

Stone Parcel A

APN: 0105-070-490 & -500
Total 82.10 Ac.

Ramirez Parcel C

APN: 0105-070-470
Total 20.47 Ac.

Helmus Parcel B

APN: 0105-100-110
Total 40.00 Ac.

Owner	APN	Existing Size	Proposed Size	Net Change
Stone - Parcel A	0105-070-490 & -500	81.80 Ac.	82.10 Ac.	+0.30 Ac.
Helmus - Parcel B	0105-100-110	34.64 Ac.	40.00 Ac.	+5.36 Ac.
Ramirez - Parcel C	0105-070-470	26.13 Ac.	20.47 Ac.	-5.66 Ac.