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**DEPARTMENT OF RESOURCE MANAGEMENT**



**SOLANO  
 COUNTY**

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Planning Services Division

**SOLANO COUNTY ZONING ADMINISTRATOR  
 Staff Report  
 Zwick Lot Line Adjustment**

<b>Application No. LLA-19-07</b>		<b>Meeting of February 20, 2020</b>	
<b>Project Planner:</b> Nedzlene Ferrario		<b>Agenda Item No.</b>	
<b>Applicant:</b> Hawkins Land Surveying 3636 Oak Canyon Lane Vacaville, CA 95688		<b>Property Owners:</b> Michael and Karen Zwick 6986 Gibson Canyon Road Vacaville, CA 95688	
<b>Action Requested:</b> Approval to adjust a common property line between APN 0123-030-510 and 520 in the RR 2.5 zoning district.			
<b>Property Information</b>			
Size: 2.31 and 3.86 acres		Location: 6986 Gibson Canyon Road	
APNs: 0123-030-510 and 520			
Zoning: RR 2.5		Land Use: Residential	
General Plan: Rural Residential		Ag. Contract: N/A	
Utilities: septic system and SID		Access: Gibson Canyon 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>	Rural Residential	RR 2.5	Residential
<b>South</b>	Rural Residential	RR 2.5	Residential
<b>East</b>	Rural Residential	RR 2.5	Residential
<b>West</b>	Rural Residential	RR 2.5	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>APPROVE</b> Lot Line Adjustment LLA-19-07 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 0123-030-510 and 520, two legal parcels to Gibson Canyon Road, confirmed by the County Surveyor. The 6.17-acre property is developed with a residence, and zoned Rural Residential 2.5 acre minimum (RR 2.5). The property fronts Gibson Canyon Road and has access via Wellborn Road, a private road easement located to the rear of the property. The adjustment will result in locating the existing residence and barn on Proposed Parcel A and allows buildable area for Proposed Parcel B separate from the existing residence.

Proposed Parcel A will retain access from Gibson Canyon Road and an easement is proposed to the existing barn through Proposed Parcel B. Primary access for Parcel B is proposed via Wellborn Road. Public street frontage is required for parcels in the RR 2.5 zoning; however, public street frontage is not required for Parcel B due to the existing non-conforming situation. The following is a breakdown of the existing, proposed and net transfer acreage.

APN	EXISTING	PROPOSED	NET TRANSFER
0123-030-510	2.31 acre	3.30 acre (Parcel A)	0.99
0123-030-520	3.86 acre	2.87 (Parcel B)	-0.99

The proposed parcels are conforming in size for the zoning district and approval of the lot line adjustment will not create additional parcels. The Deeds of Trust recorded for the subject property shall be revised and recorded to reflect the parcel configurations approved by the lot line adjustment.

**GENERAL PLAN AND ZONING CONSISTENCY**

Both properties are zoned Rural Residential 2.5 acre minimum and consistent with the Rural Residential 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-19-07 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 conforming 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. 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-19-07 dated July 2019, prepared by Hawkins Land Surveying, 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

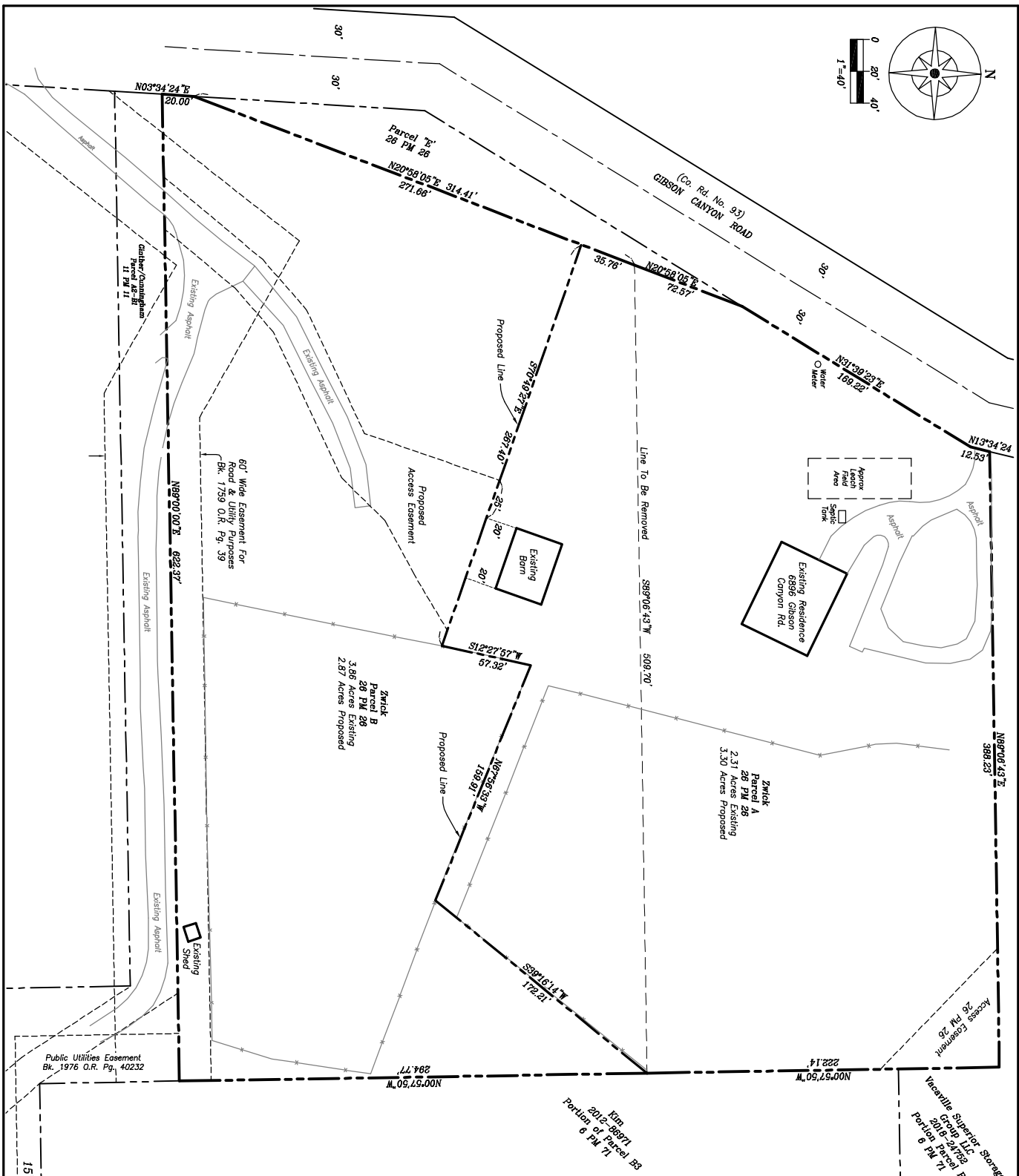
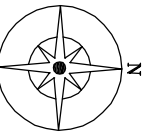
work with their representative title company and contact the Solano County Assessor's Mapping Department to initiate the 'Tax Certificate' process. Fees are collected by the Assessor's Office to begin this process.

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.

3. Prior to recording the Certificate of Compliance, the Deeds of Trust recorded for the subject property shall be revised and recorded to reflect the parcel configurations approved by the lot line adjustment.

**Attachments:**

- Exhibit A – Lot Line Adjustment
- Exhibit B - Location Map
- Exhibit C - Resolution



**Preliminary Lot Line Adjustment**

OF THE LANDS OF  
ZWICK

**Parcel A and Parcel B**  
26 PM 26

APNS 0123-030-520, & 0123-030-510  
SOLANO COUNTY CALIFORNIA

July 2019

Ty Hawkins LS 7973  
3555  
Vacaville, CA 95688  
(707) 974-9880

**OWNERS:**  
APN 0123-030-510 Michael & Karen Zwick  
6986 Gibson Canyon Rd.  
Vacaville CA 95688

APN 0123-030-520 Michael & Karen Zwick  
6986 Gibson Canyon Rd.  
Vacaville CA 95688

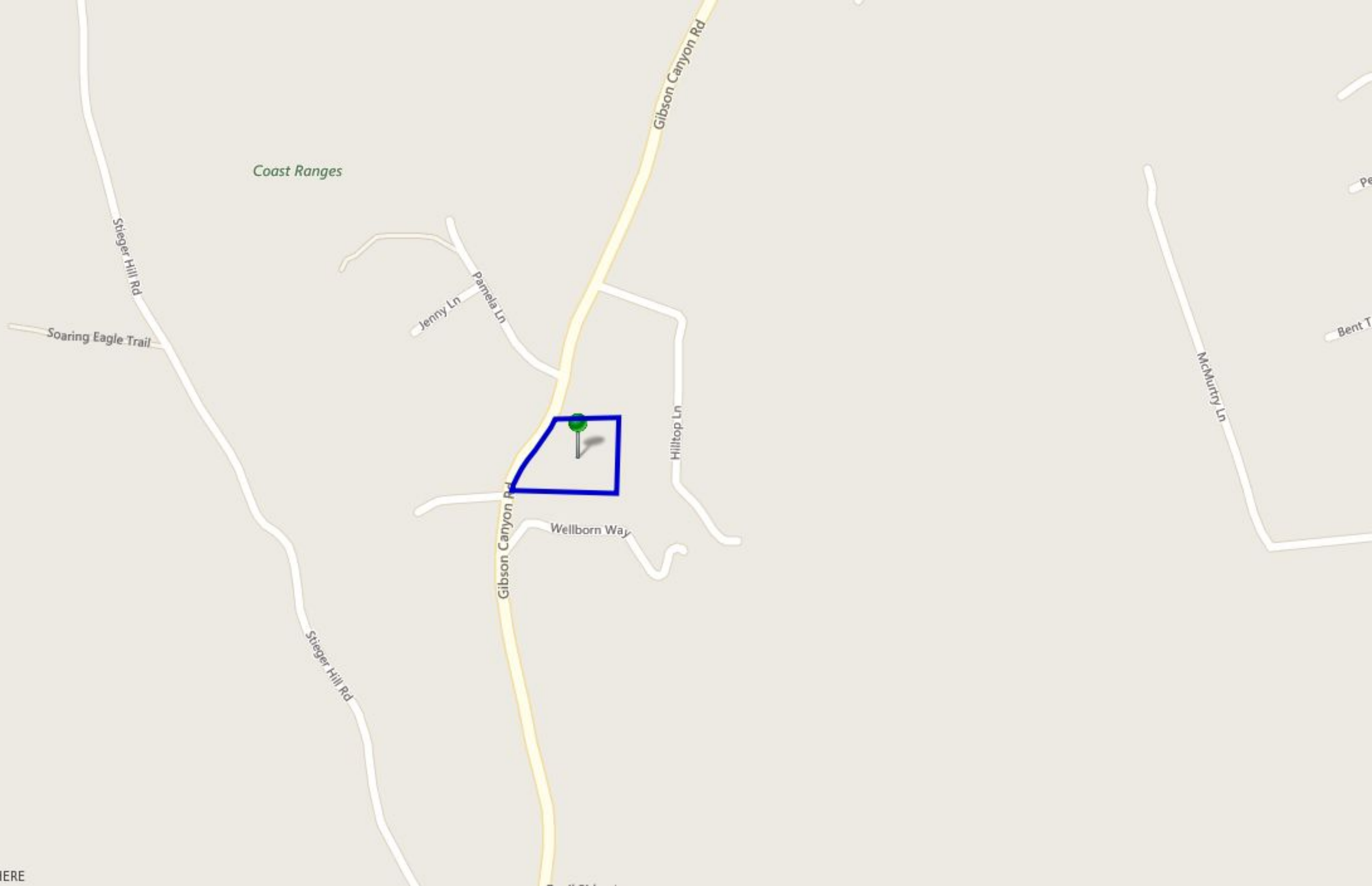
**Residing Uses:**  
APN 0123-030-510 Rural Residence  
APN 0123-030-520 Vacant

**Existing Utilities:**  
APN 0123-030-510 Water - Private Well  
Sewer - Private Septic System  
APN 0123-030-520 Water -  
Sewer -

**LEGEND**

- Boundary Line To Remain
- Proposed Boundary Line
- Boundary Line to Be Removed
- Adjacent Line
- Easement Line
- Existing Wire Fence





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

**WHEREAS**, the Solano County Zoning Administrator has Lot Line Adjustment Application No. LLA-19-07 and Certificate of Compliance No. CC-19-18 of **Michael and Karen Zwick** to reconfigure APN's: 0123-030-510 and 0123-030-520. The property is located at 6986 Gibson Canyon Road, within the Rural Residential 2.5 acre minimum, "RR 2.5" 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 February 20, 2020 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. 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 LLA-19-02 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-19-07 dated July 2019, prepared by Ty Hawkins Land Surveying, 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.

3. Prior to recording the Certificate of Compliance, the Deeds of Trust recorded for the subject property shall be revised and recorded to reflect the parcel configurations approved by the lot line adjustment.

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I hereby certify that the foregoing resolution was adopted at the regular meeting of the Solano County Zoning Administrator on February 20, 2020.

BILL EMLER, DIRECTOR  
RESOURCE MANAGEMENT

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Terry Schmidtbauer, Assistant Director  
Department of Resource Management