

DEPARTMENT OF RESOURCE MANAGEMENT

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Planning Services Division

SOLANO COUNTY ZONING ADMINISTRATOR

**Staff Report
LLA-21-02/CC-21-03**

Application No. LLA-21-02 (Nevins/Hubert) Project Planner: Eric Wilberg, Planner Associate		Meeting of November 4, 2021 Agenda Item No. 1	
Property Owner – Lot 1 Ryan and Cheri Nevins 8663 Pleasants Valley Road Winters, CA 95694		Property Owner – Lot 2 James and Judith Hubert No Situs Winters, CA 95694	
Action Requested Public Hearing to consider Lot Line Adjustment application LLA-21-02 and Certificate of Compliance CC-21-03 of Ryan & Cheri Nevins and Judith Hubert to reconfigure the common property line between two adjacent lots, located at 8663 Pleasants Valley Road, 3 miles southwest of the City of Winters within the Exclusive Agriculture "A-20" zoning district, APNs 0101-060-100 and 0101-060-110.			
General Plan Designation, Zoning District, and Existing Land Use			
	General Plan	Zoning	Land Use
Subject Site	Agriculture	Exclusive Agriculture "A-20"	Residential
North	Park and Recreation	Park "P"	Lake Solano Park
South	Agriculture	Exclusive Agriculture "A-20"	Residential
East	Park and Recreation	Park "P"	Lake Solano Park
West	Agriculture	Exclusive Agriculture "A-20"	Vacant
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 Guidelines 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-21-02 subject to the recommended conditions of approval.			

Environmental Setting

The subject properties are situated within the Western Hills Agricultural Region, three miles southwest of the City of Winters. In general, this region is characterized by grasslands, oak woodlands, and mountain plateaus.

The subject site is comprised of two legal lots created via Parcel Map (PM 22-52) recorded July 14, 1981. Judith Hubert owns the western 20-acre parcel, APN 0101-060-100. This parcel is undeveloped. Ryan and Cheri Nevins own the eastern 25.54-acre parcel, APN 0101-060-110. Residential development including two residences and multiple accessory structures suffered damage and loss by the LNU Lightning Complex fires of August 2020.

Project Description

The lot line adjustment would result in the transfer of 2.16 acres from the Hubert parcel to the Nevins parcel and a separate 2.19-acre area from the Nevins parcel to the Hubert parcel. As shown on the lot line adjustment map, the reconfiguration will result in the following lot sizes:

Hubert – 20.03 acres, slight increase of 0.03 acre
Nevins – 25.57 acres, slight decrease of 0.03 acre

The acreage being transferred to the Nevins property is located near the southwest corner of the property in the vicinity of the primary residence which was lost in the LNU Fire. The land will help facilitate a rebuild of the residence along with the relocation and rebuild of accessory structures.

The acreage being transferred to Hubert generally follows an existing access easement which connects the Hubert property out to Pleasants Valley Road in the east.

Reference Attachment C, LLA-21-02 Map

Access

The Hubert parcel is afforded access through an existing easement which connects the property to Sackett Lane and ultimately out to Pleasants Valley Road. After the adjustment, the flag lot configuration will also provide frontage along Pleasants Valley Road.

The Nevins parcel has frontage along Pleasants Valley Road and is developed with a private driveway off Pleasants Valley Road.

Development and Utilities

Both properties suffered damage by the LNU Lightning Complex fires of August 2020. Future residential development will trigger the need to evaluate any necessary utilities to support development.

Land Use Consistency

General Plan and Zoning

Figure LU-1 of the Solano County General Plan designates the project site Agriculture. In addition, the properties are located within the Exclusive Agriculture “A-20” Zoning District. As seen on the General Plan/Zoning Consistency table (Table LU-7, General Plan) the zoning district is consistent with the GP designation.

The residential development along with proposed parcel sizes (exceeding twenty acres) are consistent with the General Plan and Exclusive Agriculture Zoning District regulations.

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 the reconfiguration of two legal lots and no new lots would be created.

In order to finalize the lot line adjustment, the applicants 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 Guidelines 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-21-02 subject to the recommended conditions of approval.

Attachments:

- A - Draft Resolution
- B - Assessor Parcel Map
- C - Lot Line Adjustment Map

**SOLANO COUNTY ZONING ADMINISTRATOR
RESOLUTION NO. XX-XX**

WHEREAS, the Solano County Zoning Administrator has considered Lot Line Adjustment application No. LLA-21-02 and Certificate of Compliance No. CC-21-03 of Judith Hubert and Ryan & Cheri Nevins to reconfigure the common property line between two adjacent lots located at 8663 Pleasants Valley Road, three miles southwest of the City of Winters, within the Exclusive Agriculture "A-20" Zoning District; APNs 0101-060-100 and 11; and

WHEREAS, said Zoning Administrator has reviewed the Department of Resource Management's report and heard testimony relative to the subject application at the duly noticed public hearing held on November 4, 2021; 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 building codes and no lot will be made nonconforming with regard to zoning regulations. The subject site is comprised of two legal parcels created via Parcel Map (PM 22-52) recorded July 14, 1981. The lot line adjustment proposes to transfer 2.16 acres to from the Hubert parcel to the Nevins parcel and a separate 2.19-acre acre area from the Nevins parcel to the Hubert parcel. The reconfiguration will result in the Hubert parcel at 20.03 acres and the Nevins parcel at 25.57 acres. Both proposed lots exceed the 20-acre minimum lot size requirement.

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 Lot Line Adjustment application LLA-21-02 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-21-02 dated February 2021, prepared by Foulk Civil Engineering, 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

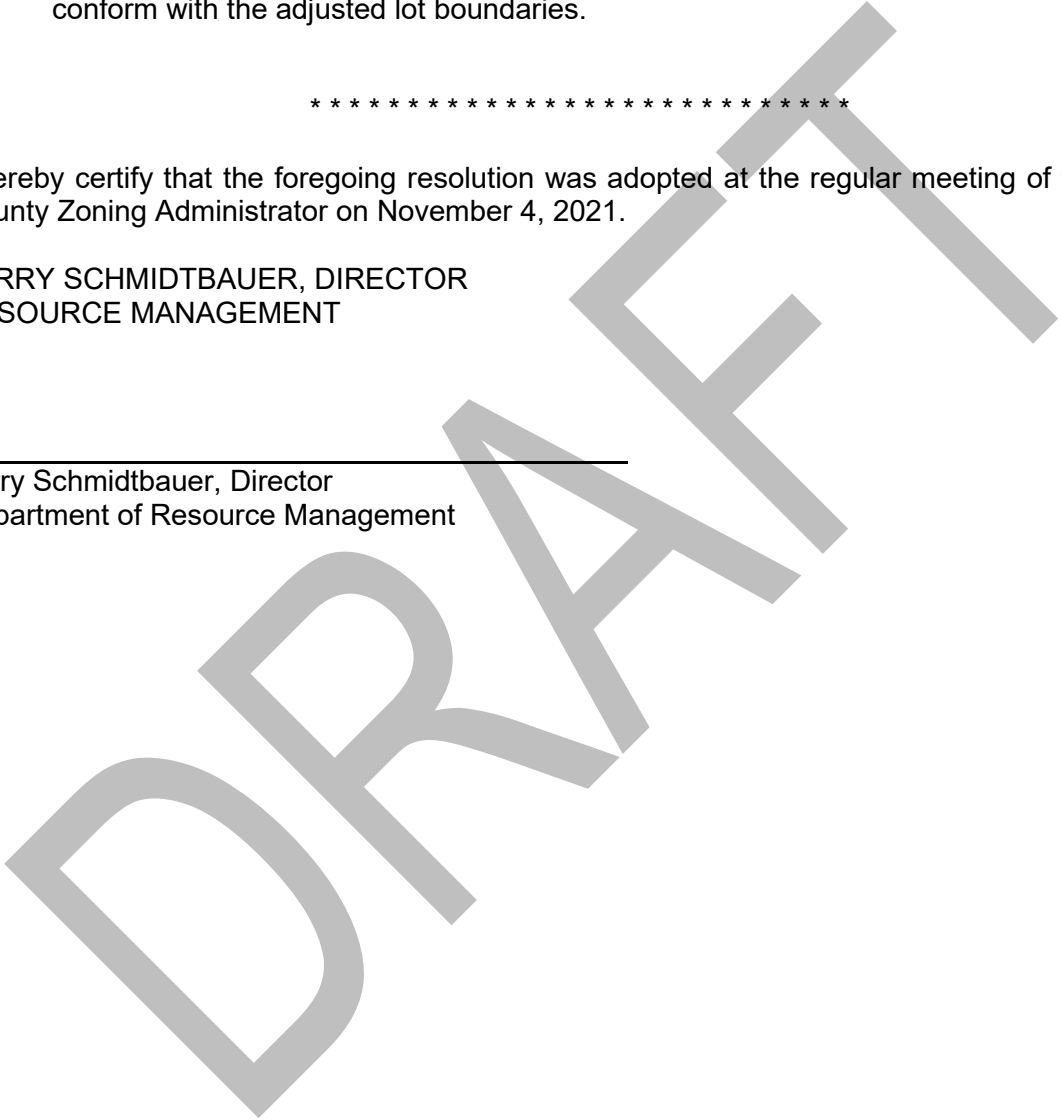
company with instruction for recordation with the Solano County Recorder, thus completing the Lot Line Adjustment approval process.

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 November 4, 2021.

TERRY SCHMIDTBAUER, DIRECTOR
RESOURCE MANAGEMENT

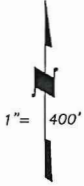
Terry Schmidtbauer, Director
Department of Resource Management



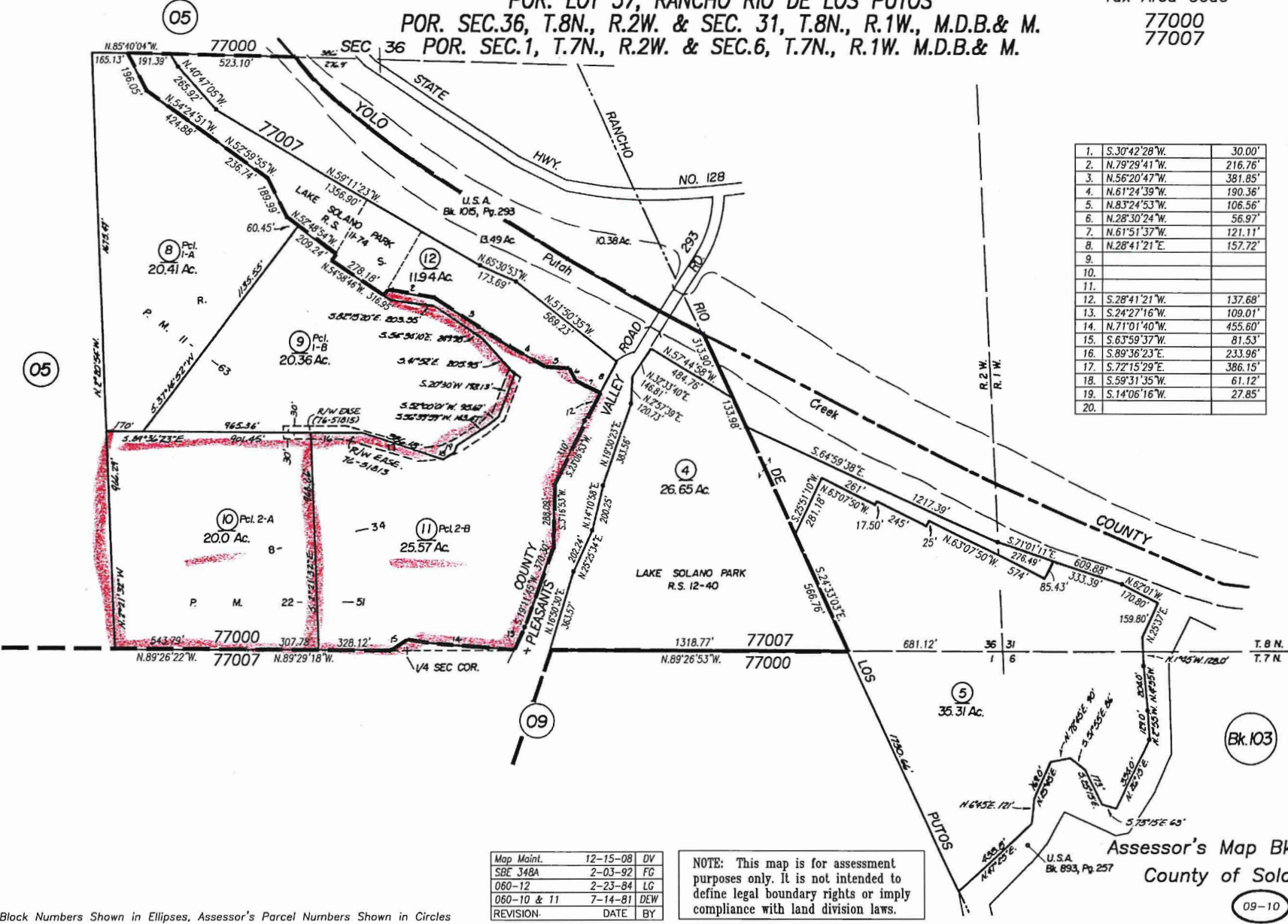
POR. LOT 37, RANCHO RIO DE LOS PUTOS
 POR. SEC.36, T.8N., R.2W. & SEC. 31, T.8N., R.1W., M.D.B.& M.
 POR. SEC.1, T.7N., R.2W. & SEC.6, T.7N., R.1W. M.D.B.& M.

Tax Area Code
 77000
 77007

101-06



1.	S.30°42'28"W.	30.00'
2.	N.79°29'41"W.	216.76'
3.	N.56°20'47"W.	381.85'
4.	N.61°24'39"W.	190.36'
5.	N.83°24'53"W.	106.56'
6.	N.28°30'24"W.	56.97'
7.	N.61°51'37"W.	121.11'
8.	N.28°41'21"E.	157.72'
9.		
10.		
11.		
12.	S.28°41'21"W.	137.68'
13.	S.24°27'16"W.	109.01'
14.	N.71°01'40"W.	455.60'
15.	S.63°59'37"W.	81.53'
16.	S.89°36'23"E.	233.96'
17.	S.72°15'29"E.	386.15'
18.	S.59°31'35"W.	61.12'
19.	S.14°06'16"W.	27.85'
20.		



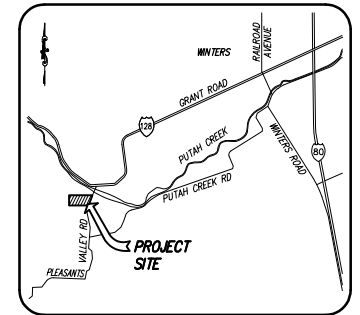
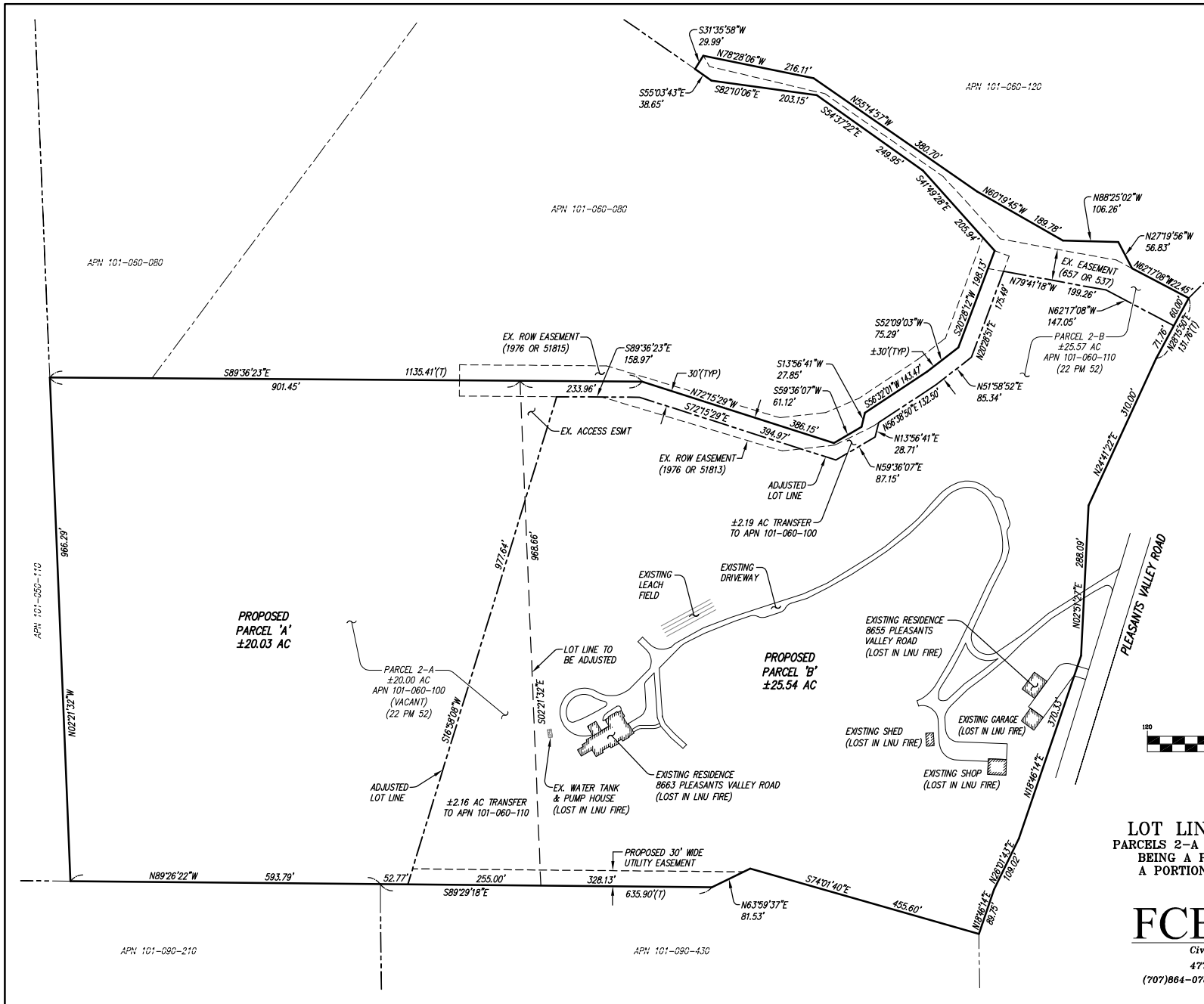
Map Maint.	12-15-08	DV
SBE 348A	2-03-92	FC
060-12	2-23-84	LG
060-10 & 11	7-14-81	DEW
REVISION:	DATE	BY

NOTE: This map is for assessment purposes only. It is not intended to define legal boundary rights or imply compliance with land division laws.

Assessor's Map Bk. 101 Pg. 06
 County of Solano, Calif.

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Assessor's Block Numbers Shown in Ellipses, Assessor's Parcel Numbers Shown in Circles



VICINITY MAP
NOT TO SCALE

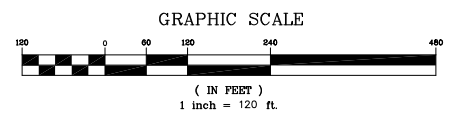
OWNER/APPLICANT
 RYAN & CHERI NEVINS (APN's 101-060-100 & 110)
 8655 PLEASANTS VALLEY ROAD
 WINTERS, CA 95694

LINE LEGEND

—	DISTINCT BORDER
- - - -	EXISTING LOT LINE TO REMAIN
- · - · -	EXISTING LOT LINE TO BE ADJUSTED
- · - · -	PROPOSED LOT LINE
- · - · -	ADJACENT LOT LINE
- · - · -	EXISTING EASEMENT
- · - · -	EXISTING ROAD/DRIVEWAY

ABBREVIATIONS

DOC	DOCUMENT
ESMT	EASEMENT
EX./EXIST	EXISTING
O.R.	OFFICIAL RECORD
PM	PARCEL MAP
RM	RECORD MAP
RS	RECORD OF SURVEY
ROW	RIGHT-OF-WAY
SEP	SEPARATE
(T)	TOTAL
TYP	TYPICAL



LANDS OF NEVINS
LOT LINE ADJUSTMENT SITE PLAN
 PARCELS 2-A & 2-B AS SHOWN IN BK. 22, MAPS, PG. 52
 BEING A PORTION OF SECTION 36, T.9N., R.2W., &
 A PORTION OF SECTION 1, T.7N., R.2W., M.D.B.&M.
 SOLANO COUNTY, CALIFORNIA
 FEBRUARY 2021

FCE SCALE: 1"=120'
 FOULK CIVIL ENGINEERING, INC.

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