SOLANO COUNTY ZONING ADMINISTRATOR Lot Line Adjustment LLA-10-03 **Certificate of Compliance CC-10-06**

Application:

LLA-10-03/CC-10-06

Meeting of September 16, 2010

Project Planner: Eric Wilberg

Agenda Item No. 1

EXISTING ASSESSOR PARCELS:

Parcel	APN	Address	Acreage (Net)
	0105-110-620	7324 Dove Creek Trail	27.41
	0105-110-630	No Address	31.64
	0105-110-640	No Address	2,82

PROPOSED PARCEL SIZE:

Parcel	APN	Address	Acreage (Net)
	0105-110-620	7324 Dove Creek Trail	26.97
	0105-110-630	No Address	35.01

EXISTING LAND

USE:

Residential

GENERAL PLAN: Rural Residential

ZONING:

Rural Residential 'RR-2.5'

AGRICULTURAL

PRESERVE:

Not under contract.

SITE DESCRIPTION

The project site is located along Cantelow Road, approximately 1 mile north of the City of Vacaville. The site is generally flat with some rolling terrain. The site slopes from the southwest (250 feet above MSL) to the northeast (200 feet above MSL). The parcels drain to the north into English Creek, which forms the northern boundary of the project site. Vegetation across properties primarily consists of grassland with some native trees along English Creek. Development on-site consists of a single family dwelling on APN 0105-110-620 (Held). The remaining land is undeveloped.

BACKGROUND and PROJECT DESCRIPTION

The three Assessor's Parcels were previously a part of major subdivision application # S-06-03 (Terra del Sol). Terra del Sol aimed to create 23 residential lots on a site of approximately 60 acres, with lot sizes ranging in size from 2.5 to 4.5 gross acres. The Terra del Sol Tentative Map was approved on February 26, 2008 by the County Board of Supervisors. The Tentative Map expired February 26, 2010 and the applicant has submitted a letter requesting withdrawal of S-06-03.

LLA-10-03 proposes to transfer portions of land between two adjacent legal lots (comprised of three APN's: 0105-110-62, 63, and 64). These parcels were created via Final Map of major subdivision application # S-01-02. At the time of S-01-02 Final Map approval, APN 0105-110-640 was envisioned to be the southern half of a north-south 'planned collector' roadway, as seen on Figure TC-1 of the County General Plan. APN 64 was later offered for dedication to the County, however the dedication was not accepted by the Board of Supervisors and the road was never built.

The current proposal will adjust a common property line between the Pippo and Held parcels. A portion of the proposed, common property line will coincide with the proposed, new alignment of Dove Creek Trail. The new alignment of Dove Creek Trail will encroach onto Cantelow Road approximately 500 feet west of the intersection between Cantelow Road and Gibson Canyon Road. Dove Creek Trail will serve as the north-south planned connector envisioned under the County General Plan. An irrevocable offer of dedication for this roadway is required to be submitted to the County (Public Works — Engineering Division), prior to the recordation of Certificate of Compliance CC-10-06. It will be necessary for the Board of Supervisors to accept the offer of dedication prior to the easement becoming a County roadway.

<u>ANALYSIS</u>

GENERAL PLAN and ZONING CONSISTENCY

Figure LU-1 of the Solano County General Plan designates the entire project site 'Rural Residential'. All parcels have Rural Residential 'RR-2.5' Zoning. As seen on the General Plan/Zoning Consistency table (Table LU-7, General Plan), the Rural Residential 'RR-2.5' Zoning is consistent with the Rural Residential General Plan Designation.

All lots meet the minimum parcel requirements under the Rural Residential General Plan Designation. In addition, the two (2) lots (26.97 and 35.01 acres) meet the two and one half acre minimum parcel requirement for the Rural Residential 'RR-2.5' Zoning District.

ENVIRONMENTAL DETERMINATION

After review of the CEQA Guidelines, staff is recommending that the Zoning Administrator find that this lot line adjustment is a ministerial action and is therefore exempt from the provisions of CEQA per CEQA Section 21080 (b)(1).

SUGGESTED 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 project is consistent with applicable building ordinances and zoning requirements for the Rural Residential 'RR-2.5' Zoning District.

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

Two (2) existing legal lots 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.

The applicant was provided with a Tax Collector's Certificate that must be completed and signed by the Tax Collector. The applicant will submit the signed Certificate to the Solano County Assessor/Recorder prior to recordation of the Certificate of Compliance.

4. The requirements of CEQA do not apply, as the project is considered ministerial in nature [Section 21080 (b) (1)].

Lot line adjustments are ministerial projects, and therefore are not held to the provisions and requirements of CEQA.

RECOMMENDATION:

After review of the information submitted, that the Zoning Administrator **APPROVE** the requested Lot Line Adjustment (LLA-10-03), subject to the following conditions of approval:

CONDITIONS OF APPROVAL:

- 1. The lot line adjustment shall be in substantial compliance with the map submitted with lot line adjustment application LLA-10-03, dated August 26, 2010 prepared by Foulk, Gomez & Associates, Inc., on file with the Planning Services Division.
- 2. A Certificate of Compliance, demonstrating that the subject lot line has been adjusted according to State and County regulations shall be recorded subject to the satisfaction of the Planning Services Division. Recordation of the Certificate of Compliance shall be withheld by this division until all requirements of this approval have been satisfactorily completed.

In order to complete this step, written legal descriptions of the parcels as adjusted, prepared by a registered land surveyor or civil engineer licensed to-survey in the State of California, shall be submitted to the Planning Services Division. Each page of the legal description must be signed and sealed by the professional preparing the descriptions. Upon approval by the Planning Division of the legal descriptions, 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 instructions to the Title Company/Escrow Officer to prepare new grant deeds reflecting the property boundaries as adjusted, and to record the Certificate of Compliance concurrently with the new grant deeds.

Public Works-Engineering

 Prior to recordation of Certificate of Compliance CC-10-06, the current owners of the subject properties shall make an irrevocable offer of dedication for Dove Creek Trail to the County of Solano. The offer shall be for the right of way as currently designed across the subject property.

Attachments:

Exhibit A: Draft Resolution

Exhibit B: Assessor Parcel Map(s) Exhibit C: Lot Line Adjustment Map

SOLANO COUNTY ZONING ADMINISTRATOR RESOLUTION NO. XX

WHEREAS, the Solano County Zoning Administrator has considered Lot Line Adjustment Application No. LLA-10-03 and Certificate of Compliance No. CC-10-06 of **Don Pippo and Alan and Linda Held** for the transfer of land between two legal lots comprised of three Assessor Parcel Numbers located on Cantelow Road, 1 mile north of the City of Vacaville in a "RR-2.5" Rural Residential Zoning District, APN's: 0105-110-620, 630, and 640, 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 September 16, 2010, and

WHEREAS, after due consideration, the Zoning Administrator has made the following findings in regard to said proposal:

SUGGESTED 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 project is consistent with applicable building ordinances and zoning requirements for the Rural Residential 'RR-5' Zoning District.

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

Two existing legal lots 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.

The applicant was provided with a Tax Collector's Certificate that must be completed and signed by the Tax Collector. The applicant will submit the signed Certificate to the Solano County Assessor/Recorder prior to recordation of the Certificate of Compliance.

4. The requirements of CEQA do not apply, as the project is considered ministerial in nature [Section 21080 (b) (1)].

Exhibit A

Lot line adjustments are ministerial projects, and therefore are not held to the provisions and requirements of CEQA.

BE IT THEREFORE RESOLVED, that the Zoning Administrator has approved the Lot Line Adjustment Application subject to the following recommended conditions of approval:

CONDITIONS OF APPROVAL:

- 1. The lot line adjustment shall be in substantial compliance with the map submitted with lot line adjustment application LLA-10-03, dated August 26, 2010 prepared by Foulk, Gomez & Associates, Inc., on file with the Planning Services Division.
- A Certificate of Compliance, demonstrating that the subject lot line has been adjusted according to State and County regulations shall be recorded subject to the satisfaction of the Planning Services Division. Recordation of the Certificate of Compliance shall be withheld by this division until all requirements of this approval have been satisfactorily completed.

In order to complete this step, written legal descriptions of the parcels as adjusted, prepared by a registered land surveyor or civil engineer licensed to survey in the State of California, shall be submitted to the Planning Services Division. Each page of the legal description must be signed and sealed by the professional preparing the descriptions. Upon approval by the Planning Division of the legal descriptions, 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 instructions to the Title Company/Escrow Officer to prepare new grant deeds reflecting the property boundaries as adjusted, and to record the Certificate of Compliance concurrently with the new grant deeds.

Public Works-Engineering

 Prior to recordation of Certificate of Compliance CC-10-06, the current owners of the subject properties shall make an irrevocable offer of dedication for Dove Creek Trail to the County of Solano. The offer shall be for the right of way as currently designed across the subject property.

I hereby certify that the foregoing resolution was adopted at the regular meeting of the Solano County Zoning Administrator on September 16, 2010.

CLIFFORD K. COVEY, INTERIM DIRECTOR RESOURCE MANAGEMENT

Michael Yankovich Planning Program Manager

EXHIBITS B & C

To be delivered under separate cover