

## **ARTICLE IV. LOT LINE ADJUSTMENTS**

(Ord. No. 1419, §1)

### **Sec. 26-41. Lot line adjustments**

An application for a lot line adjustment, as defined in Section 66412 of the Subdivision Map Act and this Chapter, shall be on a form satisfactory to the Director of Environmental Management and shall be accompanied by documents containing all of the information specified in Section 26-41.1, provided that the Advisory Agency may, in individual cases, permit the omission of items of information deemed by it not to be necessary for a proper review of the application.

(Ord. No. 1608, §2;)

### **Sec. 26-41.1. Information to accompany the application**

The application for a lot line adjustment shall include the following:

- (a) A preliminary title report current within the last 60 days for all of the property affected by the lot line adjustment.
- (b) The number of copies as required by the Director of Environmental Management of the lot line adjustment map accurately drawn to scale. Measurements shall be identified by feet or meters and shall include the area in square feet, square meters or acres. One copy of the map reduced to eight and one-half inches by eleven inches, (215 mm x 280 mm), shall also be submitted.
- (c) The map shall meet the following criteria:
  - (1) The scale of the map shall be one inch equals one hundred feet, (metric scale of 1:1000), or larger.
  - (2) In or near the lower right-hand corner of the first sheet:
    - (A) Name and address of the owners of the properties being adjusted;
    - (B) North point and scale of map;
    - (C) Name and address of person preparing the map;
    - (D) Date the map was prepared;
  - (3) All exterior and interior lines shall be shown on the map and shall be identified by course and bearing description, based on survey data, calculated data, or information of record. If a survey is done, any monuments established must be shown on a record of survey filed in accordance with the Professional Land Surveyors Act, Business and

Professions Code Sections 8700 et seq.

(4) Proposed new lines and lines to be eliminated shall be so identified in written notation or by legend. Lines to be eliminated shall be dashed or otherwise drawn so as to be clearly distinguishable from remaining and new lines.

(5) The area of all existing and proposed parcels shall be identified and listed in acres, square feet or square meters.

(6) All existing structures, wells, septic tanks, leach fields, driveways, fences, tree rows, significant trees, public utility lines, and other prominent features located on the original parcels shall be accurately located, identified, and drawn to scale. A registered civil engineer or licensed land surveyor when deemed necessary by the Planning Services Division shall establish such locations.

(7) The locations, names, county road numbers, and widths of all adjoining and contiguous highways, streets, and roads.

(8) The locations, purpose, and width of all existing and proposed easements, roads and appurtenant utilities.

(9) The approximate location of all watercourses, drainage channels, and existing drainage structures.

(10) The approximate location of other topographic or man-made features, such as bluff tops and ponds.

(11) The approximate high-water line and elevation in lakes or reservoirs, and the mean high tide line along tidal channels.

(12) The location of all areas subject to inundation or storm water overflows.

(Ord. No. 1608, §2)

**Sec. 26-42. Processing**

The Zoning Administrator is the Advisory Agency for lot line adjustments and may approve, conditionally approve, or disapprove applications for lot line adjustments. Notice of hearing should be given pursuant to Section 26-95.1 for all lot line adjustments. An application for a lot line adjustment shall be processed in the same manner as an application for a tentative parcel map. Upon approval of a lot line adjustment, the Advisory Agency shall date and sign a tentative approval form, including applicable legal descriptions and sketches. Any conditions imposed with respect to the approval shall be stated in full on a separate document physically attached to the tentative approval form. Any lot line adjustment that would create a lot that was adjusted as to ownership (including ownership of a security interest) shall be conditioned to require that deeds be recorded simultaneously with the certificate of

compliance so as to make ownership boundaries correspond to lot boundaries, and the recording of the certificate of compliance shall constitute consent by the grantee of any such deed to a consolidation of the affected Assessor's parcels in the grantee's possession so as to prevent an increase in the number of Assessor's parcels shown on the County's assessment roll. If one or both of the parcels are encumbered by a deed of trust or mortgage, the liens of these security instruments shall be modified to correspond to the new lot line.

(Ord. No. 1608, §2)

**Sec. 26-43. Findings**

The application shall not be approved by the Advisory Agency unless it finds as follows:

(a) The adjustment is consistent with applicable building ordinances, and that either

(1) all of the resulting lots will conform to all applicable zoning requirements, or

(2) 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;

(b) Approval of the lot line adjustment will not create a greater number of parcels than originally existed;

(c) 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 satisfying the requirements of Section 66493 of the Subdivision Map Act has been provided.

(Ord. No. 1608, §2)

**Sec. 26-44. Conditions of approval**

Any conditions imposed with respect to the approval shall be stated in full on a separate document physically attached to the tentative approval form. Where applicable, the advisory agency may condition approval of a lot line adjustment as follows:

(a) Any lot line adjustment that would create a lot that was divided as to ownership (including ownership of a security interest) shall be conditioned to require that deeds be recorded simultaneously with the certificate of compliance so as to make ownership boundaries correspond to lot boundaries, and the recording of the certificate of compliance shall constitute consent by the grantee of any such deed to a consolidation of the affected Assessor's parcels in the grantee's possession so as to prevent an increase in the number of Assessor's parcels shown on the County's assessment roll. If

one or both of the parcels are encumbered by a deed of trust or mortgage, the liens of these security instruments shall be modified to correspond to the new lot line.

(b) Any existing utilities, infrastructure, or easements, which must be relocated and/or extended due to the lot line adjustment, shall be relocated and/or extended.

(c) No portion of a parcel that is under an Agricultural Preserve Contract will be transferred to property that is not under an Agricultural Preserve Contract, unless it has been approved by the Planning Commission under the criteria set forth in Section 51257 of the Government Code.

(Ord. No. 1608, §2)

**Sec. 26-45. Approval**

A lot line adjustment shall not become operative unless and until the certificate of compliance is filed in the Office of the County Recorder prior to expiration of the approval. The approval shall expire one year from the date of the tentative approval by the Advisory Agency. The applicant for the lot line adjustment shall submit to the Director of Environmental Management information and documents sufficient to satisfy the conditions of the lot line adjustment, including:

(a) A signed and acknowledged statement satisfying all the requirements of Section 66436 of the Subdivision Map Act (record title interest);

(b) A certificate or statement satisfying the requirements of Section 66492 of the Subdivision Map Act (no liens for taxes);

(c) A certificate or statement and a security satisfying the requirements of Section 66493 of the Subdivision Map Act, if any part of the lot line adjustment is subject to a lien for taxes or special assessments collected as taxes which are not yet payable and/or any lot line created by the lot line adjustment would bisect any existing assessor's parcel;

(d) Conveyance documents for relocated and/or extended utilities and/or easements.

(Ord. No. 1608, §2)

**Sec. 26-45.1. Recording**

(a) If all conditions that are required to be satisfied prior to the recording of the certificate of compliance have been satisfied, the Director of the Department of Environmental Management shall prepare the certificate of compliance and shall transmit it to the Solano County Recorder, to be recorded concurrently with the following documents:

(1) Grant Deed(s) that convey the adjustment area(s) between the parcel owners;

(2) Any conveyance documents that are required for the relocation and/or extension of existing utilities and/or easements; and

(3) Any certificate or statement, and security required to meet the requirements of Section 66493 of the Subdivision Map Act.

(b) If conditions remain to be satisfied that are not required to be satisfied prior to recording of the certificate of compliance, the Director of Environmental Management shall prepare and record a conditional certificate of compliance stating those conditions, which remain to be satisfied. The recorded conditional certificate of compliance shall have the same force and effect as a recorded parcel map.

(Ord. No. 1608, §2)

**Sec. 26-46. Mapping**

Neither a tentative map, final map nor parcel map shall be required for approval of a lot line adjustment. No record of survey shall be required unless required by Section 8762 of the Business and Professions Code (Professional Land Surveyor's Act).

(Ord. No. 1608, §2)