

RESOLUTION NO. 2025-41

RESOLUTION OF THE SOLANO COUNTY BOARD OF SUPERVISORS APPROVING LOT LINE ADJUSTMENT APPLICATION LLA-23-01, RESCINDING LAND CONSERVATION CONTRACT NOS. 559, 1014, PORTION OF 1078, AND 1292, AND APPROVING LAND CONSERVATION CONTRACT NO. 1383 AND 1390 OF SOLANO LAND TRUST AND LAND CONSERVATION CONTRACT NO. 1384 AND 1389 OF AZEVEDO ET. AL. AND AUTHORIZING ITS EXECUTION BY THE CHAIRPERSON AND DIRECTING THAT IT BE RECORDED SIMULTANEOUSLY WITH CERTIFICATE OF COMPLIANCE CC-23-01

Whereas, the Solano County Board of Supervisors (Board) has considered, in public hearing, Lot Line Adjustment application No. LLA-23-01 by Solano County Farmlands and Open Space Foundation (Solano Land Trust) and Ralph Lewis Azevedo and Shirley Ann Azevedo Revocable Trust et. al. to transfer 7.45 acres of land between two adjacent lots; rescind Land Conservation contract Nos. 559, 1014, a portion of 1078, and 1292; and approve replacement Land Conservation contract Nos. 1383 and 1390 of Solano Land Trust and Land Conservation contract Nos. 1384 and 1389 of Azevedo et. al., located along Lynch Road, three miles northeast of the City of Vallejo, with the Exclusive Agriculture "A-20" zoning district, APN's 0180-030-050 and 0180-040-040; and

Whereas, the Board has reviewed the applicant's submittal and staff report of the Department of Resource Management, and heard and considered all comments regarding the above referenced application at a duly noticed public hearing held March 11, 2025, and

Whereas, it is the policy of Solano County to encourage the preservation of land for agricultural and open space uses in accordance with principles set forth in the California Land Conservation Act of 1965; and

Whereas, after due consideration, the Board has made the following findings regarding Lot Line Adjustment application No. LLA-23-01, consistent with Section 26-43 of the County Subdivision Ordinance:

- 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.**

No structures are proposed as part of this application and no conforming lot will be made nonconforming in terms of A-20 zoning district development standards or the 20-acre minimum parcel size.

- 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) parcels and will not create any new parcels.

- 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. The Tax Certificate shall be recorded as part of the Certificate of Compliance.

Whereas, after due consideration, the Board has made the following Williamson Act findings regarding replacement Land Conservation contract Nos. 1383, 1384, 1389, and 1390, consistent with Section 51257(a) of the Government Code and Section VI of the Solano County Uniform Rules and Procedures Governing Agricultural Preserves and Land Conservation Contracts:

- 4. The new contract or contracts would enforceably restrict the adjusted boundaries of the parcel for an initial term for at least as long as the unexpired term of the rescinded contract or contracts, but for not less than 10 years.**

The contracts will remain in effect for a minimum of ten (10) years until such time as a non-renewal is initiated or cancellation petition is approved.

- 5. There is no net decrease in the amount of the acreage restricted. In cases where the parcels involved in a lot line adjustment are both subject to contracts rescinded pursuant to this section, this finding will be satisfied if the aggregate acreage of the land restricted by the new contracts is at least as great as the aggregate acreage restricted by the rescinded contracts.**

The acreage under the replacement contracts is equal to the amount of acreage under the rescinded contracts.

- 6. At least 90 percent of the land under the former contract or contracts remains under the new contract or contracts.**

The entire acreage under contract will remain the same. The proposed Solano Land Trust parcel of 551.45 acres will have an increase of approximately 7.45 acres and proposed Azevedo et. al. parcel of 660.59 acres will have a decrease of approximately 7.45 acres. The balance of the parcels under Contract Nos. 1389 and 1390 will remain unchanged in terms of acreage.

- 7. After the lot line adjustment, the parcels of land subject to contract will be large enough to sustain their agricultural use.**

The resulting Solano Land Trust parcel and Azevedo et. al. parcel will remain large enough to continue their agricultural use and exceed the 41-acre minimum parcel size for Non-Prime Farmland.

- 8. The lot line adjustment would not compromise the long-term agricultural productivity of the parcel or other agricultural lands subject to a contract or contracts.**

The existing agricultural land use and open space will remain unchanged and will not compromise the long-term agricultural productivity of the parcels or other agricultural lands.

- 9. The lot line adjustment is not likely to result in the removal of adjacent land from agricultural use.**

The lot line adjustment will not affect adjacent agricultural lands.

10. **The lot line adjustment does not result in a greater number of developable parcels than existed prior to the adjustment, or an adjusted lot that is inconsistent with the general plan.**

The lot line adjustment will not create any new parcels. The parcels and existing land uses are consistent with the General Plan

Whereas, the project is exempt from the California Environmental Quality Act pursuant to CEQA Guidelines Section 15268 and 15317 relating to ministerial projects and the establishment of land conservation contracts.

Resolved, that the Solano County Board of Supervisors does hereby approve Lot Line Adjustment application No. LLA-23-01 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-23-01, dated July 26, 2022 prepared by Ty Hawkins LS 7973, on file with the Planning Services Division and as approved by the Board of Supervisors.
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 Board of Supervisors. Failure to record a Certificate of Compliance within one year of Board 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 Department of Resource Management. The applicant shall initiate this step by submitting written legal descriptions and plats for the existing, transfer, and resultant parcels to the Department. The legal descriptions and plats shall be prepared by a registered land surveyor or civil engineer licensed to survey in the State of California and each page must be signed and sealed by the professional preparing the descriptions. Upon review and approval of the legal descriptions and plats by the County Surveyor, 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.

The following documents shall be recorded concurrently with the Certificate of Compliance:

- 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.

Recordation of the above referenced documents with the Solano County Recorder's Office will finalize the Lot Line Adjustment approval.

3. Prior to recordation of the Certificate of Compliance, the Deeds of Trusts on the properties shall be revised and recorded to reflect the parcel configurations approved by the lot line adjustment.
4. The Certificate of Compliance shall be recorded simultaneously with replacement Land Conservation contract Nos. 1383, 1384, 1389, and 1390.

Resolved, that the Board of Supervisors approves rescission of Land Conservation Contract Nos. 559, 1014, portion of 1078, and 1292.

Resolved, that the Board of Supervisors approves the entering of replacement Land Conservation contract Nos. 1383 and 1390 between Solano County and the Solano Land Trust for real property consisting of 799.45 acres and 84 acres respectively, in the form recommended to this Board by the Department of Resource Management.

Resolved, that the Board of Supervisors approves the entering of replacement Land Conservation contract Nos. 1384 and 1389 between Solano County and Azevedo et. al. for real property consisting of 712.81 acres and 380.86 acres respectively, in the form recommended to this Board by the Department of Resource Management.

Resolved, that the Board of Supervisors authorizes and directs its Chairperson to execute said Land Conservation contract Nos. 1383, 1384, 1389, and 1390.

Resolved, that the Board of Supervisors directs said contracts be recorded with the Solano County Recorder's Office simultaneously with Certificate of Compliance CC-23-01.

Passed and adopted by the Solano County Board of Supervisors at its regular meeting on March 11, 2025, by the following vote:

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| AYES: | SUPERVISORS | <u>James, Brown, Williams, Vasquez, and Chair Mashburn</u> |
| NOES: | SUPERVISORS | <u>None</u> |
| EXCUSED: | SUPERVISORS | <u>None</u> |



MITCH H. MASHBURN, Chair
Solano County Board of Supervisors

ATTEST:
BILL EMLLEN, Clerk
Solano County Board of Supervisors

By: 
Alicia Draves, Chief Deputy Clerk