



## Legislation Text

File #: 20-698, Version: 1

Conduct a noticed public hearing to consider Lot Line Adjustment application LLA-19-09 of Harold Novotny and Frank Vezer to reconfigure the common property line between two adjacent lots located at 5404 Williams Road, 2.5 miles northwest of the City of Fairfield, Assessor's Parcel Nos. 0149-090-210 and 23; Recind Land Conservation Contract Nos. 1376 and 1377; and Approve 2 replacement contracts: Land Conservation Contract No. 1378 of Frank Vezer and Land Conservation Contract No. 1379 of Harold Novotny

Published Notice Required? Yes X No      
Public Hearing Required? Yes X No    

### **DEPARTMENT RECOMMENDATION:**

The Department of Resource Management recommends that the Board of Supervisors:

1. Conduct a noticed public hearing; and
2. Adopt a resolution (Attachment A) to:
  - A. Approve Lot Line Adjustment LLA-19-09;
  - B. Rescind Land Conservation Contract Nos. 1376 and 1377; and
  - C. Approve replacement Land Conservation Contract Nos. 1378 of Frank Vezer and 1379 of Harold Novotny, pursuant to the California Land Conservation Act of 1965 (Williamson Act).

### **SUMMARY:**

The applicants are proposing to adjust a common property line between two adjacent lots. The lot line adjustment would result in the transfer of 20.18 acres from the Novotny property to the 41 acre Vezer parcel. The resultant parcel sizes are 61.18 acres (Vezer) and 30.72 acres (Novotny). The minimum parcel size is 20 acres in this area. Both existing parcels are entered into separate, active Williamson Act Contracts. In such situations, action by the the Board of Supervisors is required to rescind and replace the existing Contracts.

The project is determined to be exempt from the California Environmental Quality Act pursuant to CEQA Guidelines Section 21080 (b)(1).

In accordance with Solano County Subdivision Ordinance notice of a public hearing was published at least 15 days before the scheduled hearing in the Fairfield Daily Republic. In addition, all owners of real property, as shown on the latest equalized assessment roll in the vicinity of the property were mailed notices of the hearing pursuant to County noticing requirements.

### **FINANCIAL IMPACT:**

The applicants have paid the application fees associated with lot line adjustment application and replacement Land Conservation Contracts. The land is currently under Williamson Act contract; therefore, no financial impacts or changes in the assessed land value have been identified.

### **DISCUSSION:**

The project involves adjusting the common property line between two adjacent lots. The lot line adjustment would result in the transfer of 20.18 acres from the Novotny parcel to the Vezer parcel. As shown on the lot line adjustment map, the reconfiguration will result in the following change in lot sizes:

Novotny - Existing 50.90 acres; Proposed 30.72 acres (decrease of 20.18 acres)

Vezer - Existing 41 acres; Proposed 61.18 acres (increase of 20.18 acres)

### *Reference Attachment C, Map*

The subject properties are situated within the Suisun Valley Agricultural Region, 2 miles northwest of the City of Fairfield. The project area is comprised of two Assessor's parcels totaling approximately 92 acres. The westerly parcel under Novotny ownership is predominantly flat, exhibiting slopes of less than six percent. Williams Road bisects the 50.90-acre Novotny parcel traversing south to north through the lot. The western half of the property is planted in vineyards. The eastern half of the lot is developed with a single family dwelling located near the southeast corner of the Novotny lot.

Moving easterly, elevations begin to increase moving away from Williams Road towards the Vezer lot. Topography transitions from being relatively flat along the valley floor to relatively steep rolling hills. A majority of the 41-acre Vezer parcel is characterized as steep hillside exhibiting slopes between 16 - 24%. One agricultural structure is built on the hilltop near the northern property line. Numerous oak trees dot the hillsides on eastern half of the Vezer lot. 12.5 acres of the parcel has recently been planted with vineyards.

### *Access*

The project proposes no changes to existing vehicle access to either parcel. Both properties have access via Williams Road (County Road No. 649). The Novotny parcel has frontage along, and developed access from, Williams Road. The Vezer parcel will have frontage along Williams Road as a result of the LLA; however, it would retain access via existing 60 foot wide private road easement across the Novotny parcel. The existing easement and access alignment avoids topographical constraints and maintains adequate driveway slope standards to the Vezer lot.

### *Utilities*

The Novotny parcel is developed with a single family dwelling and associated domestic water well and private septic system. Utilities including a potable water source and private septic system would be required upon development of the Vezer parcel.

### *General Plan and Zoning*

Figure LU-1 of the Solano County General Plan designates the project site Agriculture. In addition, the entire site is located within the Suisun Valley Agriculture "A-SV-20" Zoning District. As seen on the General Plan/Zoning Consistency table (Table LU-7, General Plan) the A-SV-20 district is consistent with the Agricultural General Plan designation.

The existing residential development and agricultural uses of the property, along with proposed parcel sizes (exceeding 20 acres) are consistent with the General Plan and A-SV-20 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 A-SV-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.

#### *Land Conservation Contract*

The Solano County Uniform Rules and Procedures Governing Agricultural Preserves and Land Conservation Contracts stipulates the procedure for processing lot line adjustments for contracted land, outlines specific findings, and establishes minimum parcel sizes.

The Board of Supervisors is the hearing authority for this application because the lot line adjustment involves parcels under multiple land conservation contracts and requires replacement contracts due to contract boundary changes resulting from the lot line adjustment.

For the parcels to be eligible to enter into a land conservation contract, amend an existing contract, and to maintain eligibility while under contract, the County Uniform Rules and Procedures Governing Agricultural Preserves and Land Conservation Contracts requirements must be met. These requirements include:

- The property must be in commercial agricultural use at the time of application and must be maintained during the life of the contract
- All land uses on the property must be compatible with the Williamson Act
- The property must be located within an appropriate General Plan Designation and Zoning District

As described in further detail below, each parcel is engaged in commercial agricultural production. In addition to the agricultural uses, existing residential development is compatible with the Williamson Act. Both parcels are located within an Agricultural General Plan Designation and Suisun Valley Agriculture "A-SV-20" Zoning District and are therefore eligible for Contract consideration. Therefore, both parcels comply with County Uniform Rules and Procedures Governing Agricultural Preserves and Land Conservation Contracts.

The Vezer property is identified as Assessor's Parcel No. 0149-090-210. As part of the replacement contract application, the applicant has supplied a planting diagram for the property indicating 12.5 acres of the site is devoted to vineyard production. In addition, the applicant has stated that vineyards have been strategically planted to avoid steep contours, drainage channels, and roads and is designed to preserve existing oak woodlands and the natural beauty of the property.

The Novotny property is identified as Assessor's Parcel No. 0149-090-230. The agricultural commodities on-site consist of 17.10 acres of vineyard production and 21.90 acres of cattle grazing.

As proposed, the replacement Land Conservation Contracts are consistent with the California Land Conservation Act (Williamson Act) as well as County Requirements for contracted land.

#### *Environmental Review (CEQA)*

Staff recommends that the Board find that this Lot Line Adjustment is a ministerial action and is therefore exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Guidelines Section 21080 (b)(1).

**ALTERNATIVES:**

The Board of Supervisors could choose to not approve Lot Line Adjustment LLA-19-09, rescind Land Conservation Contract Nos. 1376 and 1377, and approve replacement contract Nos. 1378 and 1379. This action is not recommended because both parcels, including their Suisun Valley Agricultural Zoning, existing agricultural use of the land, and parcel sizes are consistent with the General Plan, Zoning Ordinance, Subdivision Ordinance, Williamson Act and the County's Uniform Rules and Procedures Governing Agricultural Preserves and Land Conservation Contracts.

**OTHER AGENCY INVOLVEMENT:**

The County Counsel have reviewed this item and concurs with the recommendation. The Department's Development Review Committee reviewed LLA-19-09 on several dates, resulting in the current proposal and conditions now before the Board.

**CAO RECOMMENDATION:**

APPROVE DEPARTMENT RECOMMENDATION