



County of Lassen

Department of Planning and Building Services

• Planning

• Building Permits

• Code Enforcement

• Surveyor

• Surface Mining

December 12, 2019

Maurice L. Anderson, Director

707 Nevada Street, Suite 5

Susanville, CA 96130-3912

Phone: 530 251-8269

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email: landuse@co.lassen.ca.us

website: www.co.lassen.ca.us

TO: Technical Advisory Committee
Agenda Date: January 2, 2020

Zoning & Building

Inspection Requests

Phone: 530 257-5263

FROM: Maurice Anderson, Director

RE: Merger #2019-008, Aragon

Project Description

MERGER #2019-008, Aragon. The applicant is proposing a merger between two parcels that together total approximately 2.83 acres. The subject parcels are zoned A-1 (General Agricultural District) and are designated "Extensive Agriculture" by the *Lassen County General Plan, 2000*. Parcel 1 is located at 436-400 Old Highway 395, while Parcel 2 is located at 436-410 Old Highway 395; both parcels are located approximately one mile northwest of Doyle along U.S. Highway 395. Parcel 1: APN 141-060-13. Parcel 2: APN 141-060-12. Staff Contact: Stefano Richichi, Associate Planner

The Planning Division of the Lassen County Department of Planning and Building Services finds as follows:

1. The applicant has submitted Merger Application #2019-008, proposing a merger of two parcels that together total approximately 2.83 acres to facilitate a use permit for a commercial building (Use Permit #2019-011).
2. Currently, Parcel 1 is approximately 1.46 acres in size, while Parcel 2 is currently 1.37 acres in size.
3. The subject parcels are zoned A-1 (General Agricultural District).
4. Pursuant to the *Lassen County General Plan, 2000*, the subject parcels have an "Extensive Agriculture" land use designation.
5. Existing improvements on Parcel 1 include an existing commercial building and accessory building. Parcel 2 contains an accessory building and well.
6. The proposed merger is consistent with the *Lassen County General Plan, 2000* and the zoning standards set forth in Title 18 of the Lassen County Code.
7. Specifically, Implementation Measure LU-H states as follows:

In areas zoned A-1, General Agriculture District, and having a General Plan natural resource management land use designation (e.g., Intensive Agriculture, Extensive Agriculture), the County will not approve subdivisions for general residential development, or approve the

creation of parcels less than 40 acres in size, except in limited circumstances following review procedures and appropriate findings pursuant to the County's zoning ordinance...

8. Although the proposed application is not a subdivision, the general plan indicates that generally, parcels zoned A-1 should at least be 40 acres in size (although the County has many parcels zoned A-1 that do not meet this minimum parcel size). Although the proposed merger will not create a parcel at least 40 acres in size, it would create a parcel that is less nonconforming to the minimum acreage standard than the existing parcels currently are. Therefore, this finding supports Finding Number 6 above.
9. The requirements for Mergers in Lassen County are established by Lassen County Code, Title 16, Chapter 16.40. Voluntary mergers that are initiated by property owners are operatively completed under Title 16, Chapter 16.12, Section 16.12.040, of the Lassen County Code (Lot Line Adjustments).
10. The Technical Advisory Committee shall approve, conditionally approve, or disapprove this merger application pursuant to Lassen County Code Section 16.12.040.

The Planning Division of the Lassen County Department of Planning and Building Services recommends the following conditions be placed on the project if approved:

1. None.

MLA:smr



County of Lassen
Department of Planning and Building Services

• Planning • Building Permits • Code Enforcement • Surveyor • Surface Mining

December 16, 2019

DRAFT

Maurice L. Anderson, Director
707 Nevada Street, Suite 5
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TO: Technical Advisory Committee
Agenda Date: January 2, 2020

Zoning & Building
Inspection Requests
Phone: 530 257-5263

FROM: Don Willis, Lassen County Surveyor

RE: Merger No. 2019-008 – Frank D. Aragon (owner)
Woodcrest Real Estate Ventures (applicant)
Projection Engineering (agent)
Assessor's Parcel Numbers: 141-060-12 and 141-060-13.

LASSEN COUNTY SURVEYOR FINDS AS FOLLOWS:

1. The tentative map submitted with application for Merger No. 2019-008 shows a proposed merger that involves two parcels. These two parcels are known as Assessor's Parcel Numbers 141-060-12 and 141-060-13 and are located in a portion of Section 6, Township 25 North, Range 17 East, Mount Diablo Base and Meridian, in Lassen County, California.
2. Title to the parcels described in Findings Item Number One above is currently vested in Frank D. Aragon, an unmarried person, as shown at a Grant Deed recorded on January 21, 2016 as Document Number 2016-00238 of the Official Records of Lassen County. The legal description within this document describes the subject parcels as Lots 1 and 2 of Long Valley Creek Subdivision Unit No. 1, as the same was filed on August 18, 1964 in Book 5 of Maps, Page 35, of the Official Records of Lassen County.
3. The underlying legal parcels for the lands represented by Assessor's Parcel Numbers 141-060-12 and 141-060-13 were created by said Long Valley Creek Subdivision Unit No. 1, as described in Findings Item Number Two above. This subdivision was approved by the Lassen County Board of Supervisors on August 10, 1964 and the lots shown thereon were created in compliance with the Subdivision Map Act and local ordinances.
4. The tentative map that was submitted for Merger No. 2019-008 shows that the existing boundary line is to be removed between Lots 1 and 2 of Long Valley Creek Subdivision Unit No. 1. The property owner has requested that a voluntary merger be completed to combine the two existing parcels into one legal parcel.
5. The tentative map that was submitted for Merger No. 2019-008 labels the two existing

- parcels as "Lot 1" and "Lot 2" and further labels the proposed parcel to be merged as "Merged Parcel A". This map shows the existing acreage of "Lot 1" as 62,447 square feet (= 1.43 Ac.) and the existing acreage of "Lot 2" is shown as 60,000 square feet (= 1.38 Ac.). "Merged Parcel A" is shown as having an acreage of 122,447 square feet (= 2.81 Ac.). The record map of Long Valley Creek Subdivision Unit No. 1 shows the acreage of Lot 1 as 1.46 acres and the acreage of Lot 2 as 1.37 acres.
6. The record map of said Long Valley Creek Subdivision Unit No. 1 (5 Maps 35) shows a "40' R/W Access Reserve and P.U.E." located along the easterly boundary of Lot 1 and over the northeasterly corner of Lot 2. It further shows a "20' Bldg. Setback Line" along the southerly boundary lines of the subject parcels. The record map also shows a "10' Pub. Utilities Easement" along the northerly boundary lines of said Lots 1 and 2. These encumbrances to the property will continue to remain in effect if the proposed merger is approved due to the specific language of Section 16.04.060 of the Lassen County Code which states "*Any notes affecting a property are valid and operative until such a time as a note is included on the most current recorded final or parcel map that identifies specific notes on previous final or parcel maps that are no longer valid or operative*".
 7. Both of the subject parcels currently abut Old Highway 395 (a.k.a. Carol Drive), County Road No. 342, which is in the County maintained road system. Lot 1 of Long Valley Creek Subdivision Unit No. 1 (A.P.N. 141-060-13) also abuts U.S. Highway 395 however there is a "40' R/W Access Reserve and P.U.E." along the easterly boundary line as shown on the record subdivision map. There are no explanatory notes on the record map of Long Valley Creek Subdivision Unit No. 1 which provide any further details about this note. However, Long Valley Creek Subdivision Unit No. 2 (8 Maps 82), which is an adjoining subdivision, contains the same note for several parcels which directly abut U.S. Highway 395. This map does contain an explanatory note which reads "*We hereby relinquish and dedicate to the public all rights of ingress to or egress from Lots 1 (thru) 16 over and across the line of said lots which abut U.S. Highway 395. It is the intention of this certificate to relinquish such rights of ingress to and egress from U.S. Highway 395 as may be appurtenant to said last above mentioned lots*". Therefore, it would appear that this 40 feet wide strip of land would serve to prevent access from Lot 1 of Long Valley Creek Subdivision Unit No. 1 to and from U.S. Highway 395.
 8. The requirements for Mergers in Lassen County are established by Lassen County Code, Title 16, Chapter 16.40. Voluntary mergers that are initiated by property owners are operatively completed under Title 16, Chapter 16.12, Section 16.12.040 (Lot Line Adjustments), of the Lassen County Code.

**PURSUANT TO THE PROVISIONS OF SECTION 66499.20.3 OF THE
GOVERNMENT CODE OF CALIFORNIA AND CHAPTER 16.40 OF THE LASSEN**

COUNTY CODE, THE LASSEN COUNTY SURVEYOR RECOMMENDS THE FOLLOWING CONDITIONS FOR MERGER NO. 2019-008 (FRANK D. ARAGON):

1. The applicant shall provide a current Condition of Title report for the two parcels shown on the application and tentative map submitted for Merger No. 2019-008 (Frank D. Aragon).
2. The parcels shall be merged as shown on the tentative map submitted for Merger No. 2019-008 (Frank D. Aragon).
3. A Certificate of Merger shall be prepared by a California Licensed Land Surveyor or California Registered Civil Engineer, who is authorized to practice land surveying pursuant to Section 8731 of the Business and Professions Code of the State of California, and submitted to the Lassen County Surveyor for review, approval and recording. This Certificate of Merger shall acceptably describe the boundary of the resultant parcel and shall be executed by Frank D. Aragon, as record owner of interest in the properties involved. The submittal of the Certificate of Merger shall also include a statement from the Licensed Land Surveyor or Civil Engineer preparing it stating the Certificate of Merger was prepared by him/her or under his/her direction and control and shall be signed and sealed in accordance with the California Code of Regulations, Title 16, Division 5, Article 1. This submittal of the Certificate of Merger shall also include appropriate fees for review and recording of all required documents.
4. If there are any Deeds of Trust encumbering either of the parcels as shown on the tentative map submitted for Merger No. 2019-008, the legal descriptions for the Deeds of Trust shall be modified to reflect the merger of said parcels and shall be recorded concurrently with the Certificate of Merger.
5. If a field survey is performed to establish the locations or dimensions of the boundary lines of merged parcels or to monument the boundaries of the merged parcels, a Record of Survey shall be submitted to the Lassen County Surveyor for review, approval and filing in accordance with Section 8762 of the California Business and Professions Code. This Record of Survey shall reference Merger No. 2019-008, the date of approval of the merger by the Technical Advisory Committee and the recording information of the recorded Certificate of Merger. This Record of Survey shall be recorded concurrently with the Certificate of Merger and its submittal shall include appropriate fees for reviewing and filing of the Record of Survey.
6. Prior to recordation of the Certificate of Merger, documentation shall be provided to the Lassen County Surveyor's Office which demonstrates that the Lassen County Tax Collector is satisfied that all current and delinquent property taxes have been paid, including funds deposited that are equivalent to all estimated taxes which have become a lien not yet due or payable, for all properties involved in the proposed merger.

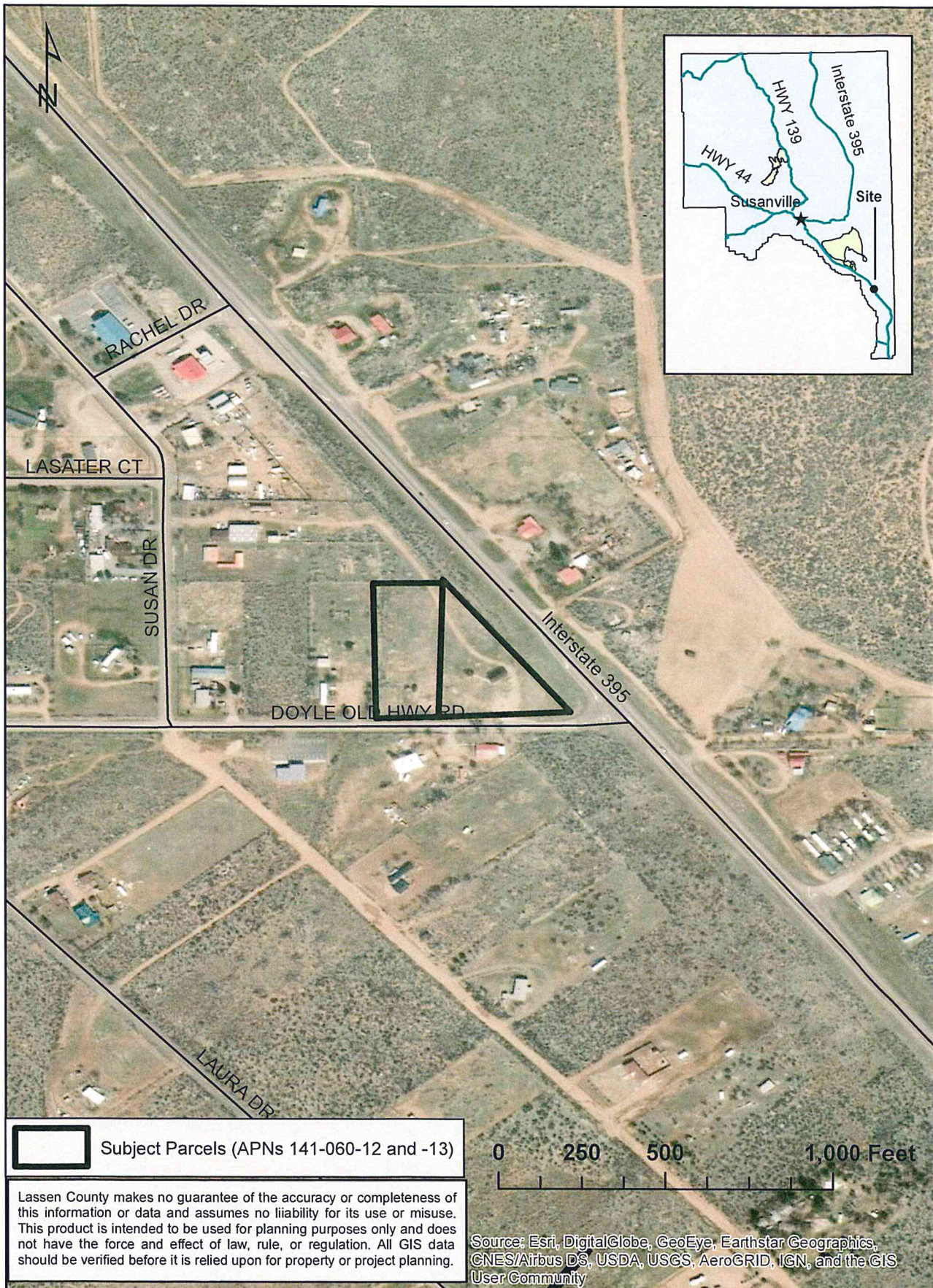
7. No structures shall be constructed within the 20 feet wide building setback line that is shown along the southerly boundary lines of Lots 1 and 2 on the record map of Long Valley Creek Subdivision Unit No. 1, as the same is filed at Book 5 of Maps, Page 35, of the Official Records of Lassen County. Further, no structures shall be constructed within the 10 feet wide public utility easement or the "40 feet wide right-of-way access reserve and public utility easement" as shown on said Lots 1 and 2 of Long Valley Creek Subdivision Unit No. 1. In accordance with Section 16.04.060 of the Lassen County Code, these requirements shall remain in effect *"until such a time as a note is included on the most current recorded final or parcel map that identifies specific notes on previous final or parcel maps that are no longer valid or operative"*. If a permit for development is issued for construction of any structure, it shall be the applicants' responsibility to demonstrate to this Department that the structure(s) are not located within the setback areas or the public utility easements.

Respectfully submitted,



Don Willis, L.S. 7742
Lassen County Surveyor

Merger #2019-008, Aragon



RECEIVED



LOT LINE/MERGER APPLICATION

DEC 04 2019

FILING FEE: \$175
DEPARTMENT OF PLANNING AND BUILDING SERVICES

707 Nevada Street, Suite 5 · Susanville, CA 96130-3912

(530) 251-8269 · (530) 251-8373 (fax)

www.co.lassen.ca.us

LASSEN COUNTY DEPARTMENT OF
PLANNING AND BUILDING SERVICES

Form must be typed or printed clearly in black or blue ink. All sections must be completed in full.
This application consists of one page; only attach additional sheets if necessary.

FILE NO. MG#2019-008

Property Owner/s	Property Owner/s
Name: Frank D. Aragon	Name:
Mailing Address: 3980 Strickland Mine Road	Mailing Address:
City, ST, Zip: Placerville, California 95667	City, ST, Zip:
Telephone: 916-204-2713 Fax:	Telephone: Fax:
Email: ara98@yahoo.com	Email:

Applicant/Authorized Representative*	Agent (Land Surveyor/Engineer/Consultant)
Same as above: <input type="checkbox"/>	Correspondence also sent to: <input type="checkbox"/>
Name: Woodcrest Real Estate Ventures, Steve Powell	Name: Projection Engineering, Paul Fisher
Mailing Address: 1410 Main Street, Suite C	Mailing Address: 1230 Cedar Street
City, ST, Zip: Ramona, California 92065	City, ST, Zip: Ramona, California 92065
Telephone: 760-271-9400 Fax:	Telephone: 760-443-6504 Fax:
Email: steve@woodcrestrev.com	Email: paulfisher@projectionengineering.com License #: 71549

Project Address or Specific Location: Northwest corner of U.S. Hwy 395 and Old Hwy 395			
Deed Reference: Book: 141	Page: 6	Year:	Doc#:
Zoning: Currently: A1 / Proposed: Commercial		General Plan Designation:	
Parcel Size (acreage): A: 1.37 + B: 1.46 = 2.83 total		Section: 6	Township: 25N Range: 17E

Assessor's Parcel Number(s):	A: 141 - 060 - 12	B: 141 - 060 - 13	- -
- -	- -	- -	- -

Parcel	Size before adjustment (sq. ft. or acres)	Size after adjustment (sq. ft. or acres)
A	1.37 acres	0.00 acres
B	1.46 acres	2.83 acres
C		
D		

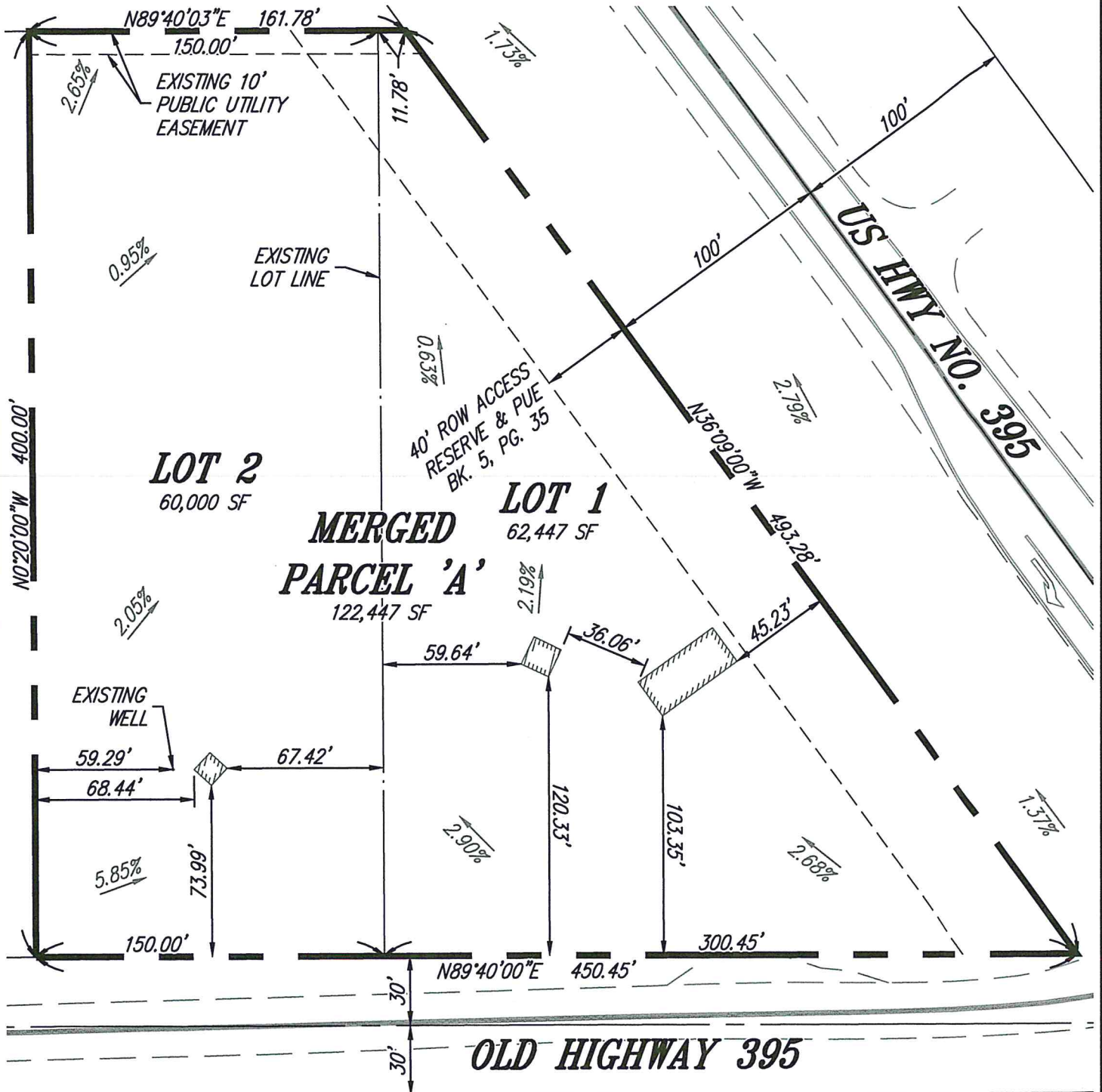
SIGNATURE OF PROPERTY OWNER(S): I HEREBY ACKNOWLEDGE THAT: I have read this application and state that the information given is both true and correct to the best of my knowledge. I agree to comply with all County ordinances and State laws concerning this application. Date: <u>27 NOV 19</u>	*SIGNATURE OF APPLICANT/AUTHORIZED REPRESENTATIVE (Representative may sign application on behalf of the property owner only if Letter of Authorization from the owner/s is provided). Date: <u>11/27/2019</u>
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See associated process form for required attachments and instructions.

PLOTTED: 11/27/2019 9:12 AM

LOT MERGER EXHIBIT

DATE PREPARED: 11/26/2019



OWNER

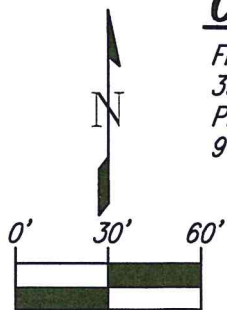
FRANK D. ARAGON
3980 STRICKLAND MINE RD.
PLACERVILLE, CA 95667
916-204-2713

LEGAL DESCRIPTION

LOTS 1 AND 2, AS SHOWN ON THAT CERTAIN MAP ENTITLED, "LONG VALLEY CREEK SUBDIVISION UNIT NO. 1", FILED AUGUST 18, 1964, IN THE OFFICE OF THE LASSEN COUNTY RECORDER, IN BOOK 5 OF MAPS, AT PAGE 35.

APN'S: 141-060-12 & 13

TOWNSHIP 25N, RANGE 17E, SECTION 6



SCALE: 1" = 60'

Reviewed By:
Planning Division
By _____
Date _____

