County of Lassen



June 24, 2022

Department of Planning and Building Services

Planning
Building
E

Environmental Health
Code Enforcement

Surveyor
Surface Mining

DRAFT

Maurice L. Anderson, Director 707 Nevada Street, Suite 5 Susanville, CA 96130-3912 Phone: 530 251-8269 Fax: 530 251-8373 email: landuse@co.lassen.ca.us website: www.co.lassen.ca.us

> Zoning & Building Inspection Requests Phone: 530 257-5263

Environmental Health Messages: 530 251-8528 email: EHE@co.lassen.ca.us

- TO: Technical Advisory Committee Agenda Date: July 7, 2022
- FROM: Maurice Anderson, Director
- SUBJECT: LOT LINE ADJUSTMENT #2022-007, Davie. The applicants are proposing a lot line adjustment between two legal parcels of the same ownership that together total 79.7 acres. Parcel A is currently 12.6 acres and Parcel B is currently 67.1 acres. If the proposed adjustment is approved, Parcel A would become 59.6 acres, and Parcel B would become 20.1 acres. Both existing parcels are split-zoned A-2-B-20 (Agricultural Residential 20-Acre Building Site Combining District) and A-2-B-40 (Agricultural Residential 40-Acre Building Site Combining District), and have a General Plan land use designation of "Rural Residential" per the *Susanville Vicinity Area Plan, 1984*. The proposed project is exempt from the California Environmental Quality Act (CEQA) under Section 15305 of the CEQA Guidelines. The subject parcels are located at 697-465 and 697-775 Bauer Road, approximately 2 miles south of Susanville, via Richmond Road. APNs: 116-510-009, 116-510-011, 116-510-017, and 116-510-018. Staff Contact: Nancy McAllister, Senior Planner

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

- 1. The applicants have submitted Lot Line Adjustment Application #2022-007, proposing a lot line adjustment between two parcels of the same ownership that together total approximately 79.7 acres.
- 2. Parcel A is currently 12.6 acres and Parcel B is currently 67.1 acres.
- 3. If the proposed adjustment is approved, Parcel A would become 59.6 acres, and Parcel B would become 20.1 acres.
- 4. Both existing parcels are split-zoned A-2-B-20 (Agricultural Residential 20-Acre Building Site Combining District) and A-2-B-40 (Agricultural Residential 40-Acre Building Site Combining District), and have a General Plan land use designation of "Rural Residential" per the *Susanville Vicinity Area Plan*, 1984.

- 5. If the proposed adjustment is approved, Parcel A would continue to be split-zoned A-2-B-20 and A-2-B-40 (both the amount of A-2-B-20 and A-2-B-40 acreage would increase), and Parcel B (20.1 acres) would be zoned A-2-B-20 (a de minimis portion of resultant Parcel B would possibly be zoned A-2-B-40, but it is impossible to confirm this, as a legal description does not exist for the zoning in this area, only a hand drawn map).
- 6. Each parcel is improved with a residence, well, and septic system. If the proposed adjustment is approved, each resultant parcel will contain a residence, well, and septic system.
- 7. The proposed lot line adjustment is exempt from the provisions of the Subdivision Map Act pursuant to Section 66412(d) of the Government Code.
- 8. Government Code Section 66412(d) states in part:

A local agency or advisory agency shall limit its review and approval to a determination of whether or not the parcels resulting from the lot line adjustment will conform to the local general plan, any applicable specific plan, any applicable coastal plan, and zoning and building ordinances.

9. The "Rural Residential" land use designation is described as follows:

Lassen County General Plan, 2000

Rural Residential

"The Rural Residential designation provides for medium density residential use in a generally rural environment. Parcels may or may not be served by paved roads and will usually not be connected to community water or sewer services. Parcel sizes generally range from three to twenty acres. Parcels may be clustered and/or smaller parcels may be created in exchange for the retention of agricultural and other open space areas (e.g., use of the "density option" provisions of the County's zoning code).

Building intensity will typically range from 0.05 to 0.33 DUA (dwelling units per acre). Population density will range from 0.15 to 1 PPA (people per acre).

Corresponding Zoning: "A-2", Agricultural-Residential District. An A-2 District is typically combined with a "B", Building Site Combining District, to indicate minimum or average building sites ranging from three to twenty acres (e.g., A-2-B-5). Minimum parcel sizes may be regarded as average parcel sizes under special "density option" provisions of the "B" Combining District."

Susanville Vicinity Area Plan, 1984

Rural Residential

Provides for medium density residential use in a rural environment. Parcels may or may not be served by paved roads or be connected to community water or sewer services. Parcel sizes generally range from three to twenty acres. Some parcels may be clustered with smaller parcels in exchange for retention of open space areas.

- 10. The proposed merger is consistent with the prescribed development density of the "Rural Residential" land use designation.
- 11. The proposed project is consistent with the *Lassen County General Plan, 2000,* the *Susanville Vicinity Area Plan, 1984*, and applicable Lassen County zoning codes.
- 12. The Technical Advisory Committee shall approve, conditionally approve, or disapprove this lot line adjustment application pursuant to Lassen County Code Section 16.12.040.
- 13. The proposed project is exempt from the California Environmental Quality Act (CEQA) under Section 15305 of the CEQA Guidelines.

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

None.

MLA:njm

County of Lassen



TO:

Department of Planning and Building Services Planning Building · Environmental Health

Code Enforcement

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Surface Mining

June 23, 2022



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Environmental Health Messages: 530 251-8528 email: EHE@co.lassen.ca.us

Agenda Date: July 7, 2022 FROM: Don Willis, Lassen County Surveyor RE: Lot Line Adjustment No. 2022-007 - Davie Family Trust.

Technical Advisory Committee

LASSEN COUNTY SURVEYOR FINDS AS FOLLOWS:

116-510-017 and 116-510-018.

1. The application and tentative map submitted for Lot Line Adjustment No. 2022-007 show two parcels involved in the proposed boundary line adjustment. These parcels are represented by Assessor's Parcel Numbers 116-510-009, 116-510-011, 116-510-017 and 116-510-018. The subject lands are located within a portion of Section 6, Township 29 North, Range 12 East, Mount Diablo Base and Meridian, in Lassen County, California.

Assessor's Parcel Numbers: 116-510-009, 116-510-011,

- 2. Title to the subject lands that are represented by Assessor's Parcel Numbers 116-510-009 and 116-510-018 is currently vested in Bruce A. Davie and Patricia Elaine Davie, Trustees of the Bruce and Patricia Davie Family Trust per a Grant Deed that was recorded on February 23, 2006 as Document No. 2006-01618 of the Official Records of Lassen County. The legal description within this document describes three separate parcels, with Parcel Three not being a part of the current adjustment proposal. Parcel One of the vesting deed is described as the West 550 feet of the South 1000 feet of the North 1520 feet of the East 1520 feet of the Southwest one-quarter of said Section 6 and is represented by Assessor's Parcel Number 116-510-018. Parcel Two of the vesting deed is described as the West one-half of the West one-half of the Southeast one-quarter of the Northwest one-quarter (W1/2 W1/2 SE1/4 NW1/4) of said Section 6 and is represented by Assessor's Parcel Number 116-510-009.
- 3. Title to the subject lands that are represented by Assessor's Parcel Number 116-510-011 is currently vested in Bruce Davie and Patricia Davie, Trustees of the Bruce and Patricia Davie Family Trust per a Grant Deed that was recorded on September 18, 2009 as Document No. 2009-05380 of the Official Records of Lassen County. The legal description within this document describes two parcels, with Parcel Two being an easement. Parcel One of the vesting deed is described as the East one-half of the Southeast one-quarter of the Northwest one-quarter (E1/2 SE1/4 NW1/4) of said Section 6 and is represented by Assessor's Parcel Number 116-510-011.

Technical Advisory Committee Agenda Date: July 7, 2022 Lassen County Surveyor's Findings and Conditions Page 2 of 5

- 4. Title to the subject lands that are represented by Assessor's Parcel Number 116-510-017 is currently vested in Bruce A. Davie, Trustee of the Bruce and Patricia Davie Family Trust per a Grant Deed that was recorded on May 29, 2009 as Document No. 2009-03087 of the Official Records of Lassen County. The legal description within this document describes two parcels, with Parcel Two not being a part of the current adjustment proposal. Parcel One of the vesting deed is described as the North 1520 feet of the East 1520 feet of the Southwest one-quarter of said Section 6 and is represented by Assessor's Parcel Number 116-510-017.
- 5. The underlying legal parcel for the lands represented by Assessor's Parcel Number 116-510-009 was traced back to a Grant Deed that was recorded on January 31, 1978 in Book 327, Page 210, of the Official Records of Lassen County. The legal description within this document describes the property as the West one-half of the West one-half of the Southeast one-quarter of the Northwest one-quarter (W1/2 W1/2 SE1/4 NW1/4) of said Section 6. This conveyance resulted in a violation of the Subdivision Map Act because the parcel had previously been combined with other lands that comprised the Southeast one-quarter of the Northwest one-quarter (SE1/4 NW1/4) of said Section 6. This is evidenced by a Grant Deed that was recorded on February 29, 1972 in Book 252, Page 649, of the Official Records of Lassen County. This division of land was completed without the filing of an approved parcel map, which has been required by the Subdivision Map Act since March 4, 1972. Although this parcel was not created in compliance with the provisions of the Subdivision Map Act, the property owners own adjoining lands that were created in compliance with the Subdivision Map Act (Assessor's Parcel Number 116-510-017 – see Findings Item Number Seven below) and this parcel has been requested to be merged with those lands as shown on the tentative map that was submitted.
- 6. The underlying legal parcel for the lands represented by Assessor's Parcel Number 116-510-011 was traced back to a Grant Deed that was recorded on July 30, 1975 in Book 292, Page 276, of the Official Records of Lassen County. The legal description within this document describes the property as the East one-half of the Southeast one-quarter of the Northwest one-quarter (E1/2 SE1/4 NW1/4) of said Section 6. This conveyance resulted in a violation of the Subdivision Map Act because the parcel had previously been combined with other lands that comprised the Southeast one-quarter of the Northwest one-quarter (SE1/4 NW1/4) of said Section 6. This is evidenced by a Grant Deed that was recorded on February 29, 1972 in Book 252, Page 649, of the Official Records of Lassen County. This division of land was completed without the filing of an approved parcel map, which has been required by the Subdivision Map Act since March 4, 1972. Although this parcel was *not* created in compliance with the provisions of the Subdivision Map Act (Assessor's Parcel Number 116-510-017 see Findings Item Number Seven below) and this parcel has

Technical Advisory Committee Agenda Date: July 7, 2022 Lassen County Surveyor's Findings and Conditions Page 3 of 5

been requested to be merged with those lands as shown on the tentative map that was submitted.

- 7. The underlying legal parcel for the lands represented by Assessor's Parcel Number 116-510-017 was created by Parcel Map Waiver No. 56-5-77, which was approved by the Lassen County Board of Supervisors on September 20, 1977. Resolution No. 77/78-75, which approved the project, was recorded on September 21, 1977 in Book 321, Page 710, of the Official Records of Lassen County. Parcel A within this document describes the subject parcel (Assessor's Parcel Number 116-510-017), which includes lands represented by Assessor's Parcel Number 116-510-017), which includes lands represented by Assessor's Parcel Number 116-510-018, as the North 1520 feet of the East 1520 feet of the Southwest one-quarter of Section 6, Township 29 North, Range 12 East, Mount Diablo Base and Meridian. This parcel was therefore created in compliance with the provisions of the Subdivision Map Act and local ordinances.
- 8. The underlying legal parcel for the lands represented by Assessor's Parcel Number 116-510-018 was traced back to a Grant Deed that was recorded on January 17, 1978 in Book 326, Page 575, of the Official Records of Lassen County. The legal description within this document describes the property as the West 550 feet of the South 1000 feet of the North 1520 feet of the East 1520 feet of the Southwest one-quarter of said Section 6. This conveyance resulted in a violation of the Subdivision Map Act because this parcel had previously been part of Parcel A of Parcel Map Waiver No. 56-5-77, as described in Findings Item Number Seven above. This division of land was completed without the filing of an approved parcel map, which has been required by the Subdivision Map Act since March 4, 1972. Although this parcel was *not* created in compliance with the provisions of the Subdivision Map Act, the Lassen County Building Department issued three permits for development to the parcel in 1980. The issuance of a permit for development constitutes "real property which has been approved for development" in accordance with Section 66499.34 of the Subdivision Map Act and would allow the property owner to request a Certificate of Compliance for the parcel. Therefore, this parcel is in compliance with the provisions of the Subdivision Map Act.
- 9. The tentative map submitted for Lot Line Adjustment No. 2022-007 shows that the southerly boundary lines of the parcels represented by Assessor's Parcel Numbers 116-510-009 and 116-510-011 are to be removed and these two parcels, which were both created in violation of the provisions of the Subdivision Map Act as noted previously, are to be merged with the existing legal parcel that is currently represented by Assessor's Parcel Number 116-510-017. The tentative map also shows that the northerly boundary line and portions of the easterly boundary line of the parcel represented by Assessor's Parcel Number 116-510-018 are to be

Technical Advisory Committee Agenda Date: July 7, 2022 Lassen County Surveyor's Findings and Conditions Page 4 of 5

removed which will cause the acreage of this parcel (currently 12.6 acres) to increase to 59.6 acres. The existing parcel represented by Assessor's Parcel Number 116-510-017 is also to be reconfigured, which would cause its existing acreage of 38.4 acres to be decreased to 20.1 acres if the proposed adjustment were approved.

- 10. Access to the subject parcels is provided by Bauer Road which is a privately maintained road that is not in the County maintained road system. Access to the resultant parcels would remain the same if the proposed adjustment were approved.
- 11. The proposed Lot Line Adjustment is exempt from the provisions of the California Subdivision Map Act pursuant to Section 66412(d) of the Government Code.
- 12. The requirements for Lot Line Adjustments in Lassen County are established by Lassen County Code Title 16, Chapter 16.12, Section 16.12.040.

LASSEN COUNTY SURVEYOR RECOMMENDS THE FOLLOWING CONDITIONS FOR LOT LINE ADJUSTMENT NO. 2022-007 (DAVIE FAMILY TRUST):

- 1. The applicants shall provide a current Condition of Title Guarantee report for the lands represented by the four Assessor's Parcels listed on the application and shown on the tentative map submitted for Lot Line Adjustment No. 2022-007. These four Assessor's Parcel Numbers are 116-510-009, 116-510-011, 116-510-017 and 116-510-018.
- 2. The adjustment of the boundary lines shall be completed as shown on the tentative map submitted for Lot Line Adjustment No. 2022-007.
- 3. A Certificate of Lot Line Adjustment 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 be submitted to the Lassen County Surveyor for review, approval and recording. This Certificate of Lot Line Adjustment shall acceptably describe the boundaries of the resultant parcels and shall be executed by Bruce Davie and Patricia Davie, Trustees of the Bruce and Patricia Davie Family Trust, as record owners of interest in the properties involved. The submittal of the Certificate of Lot Line Adjustment shall also include a statement from the Licensed Land Surveyor or Civil Engineer preparing it stating the Certificate of Lot Line Adjustment 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 Lot Line Adjustment shall also include a statement from the signed and sealed in accordance with the California Code of Regulations, Title 16, Division 5, Article 1. This submittal of the Certificate of Lot Line Adjustment shall also include also include appropriate fees for review and recording of all required documents.

Technical Advisory Committee Agenda Date: July 7, 2022 Lassen County Surveyor's Findings and Conditions Page 5 of 5

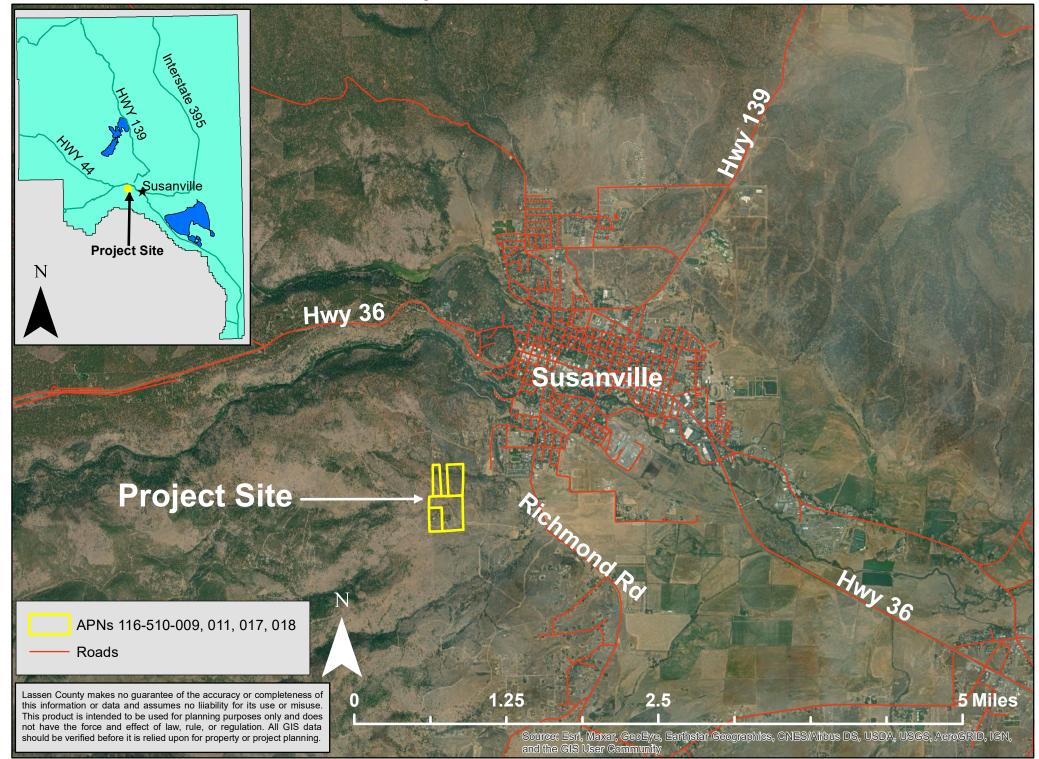
- 4. All executed deeds required to effect the lot line adjustment shall be recorded concurrently with the Certificate of Lot Line Adjustment if parcels being adjusted are owned by different entities. These deeds should reference Lot Line Adjustment No. 2022-007 and a Preliminary Change of Ownership Report shall accompany each executed deed.
- 5. If there are any Deeds of Trust encumbering either of the two existing parcels shown on the tentative map submitted for Lot Line Adjustment No. 2022-007, the legal descriptions for the Deeds of Trust shall be modified to reflect the changes requested in the boundary lines and be recorded concurrently with the Certificate of Lot Line Adjustment.
- 6. If a field survey is performed to establish the locations or dimensions of the boundary lines of adjusted parcels or to monument the boundaries of the adjusted 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 Lot Line Adjustment No. 2022-007, the date of approval of the Lot Line Adjustment by the Technical Advisory Committee and the recording information of the recorded Certificate of Lot Line Adjustment. This Record of Survey shall be recorded concurrently with the Certificate of Lot Line Adjustment and its submittal shall include appropriate fees for reviewing and filing of the Record of Survey.
- 7. Prior to recordation of the Certificate of Lot Line Adjustment, 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 Lot Line Adjustment.

Respectfully submitted,

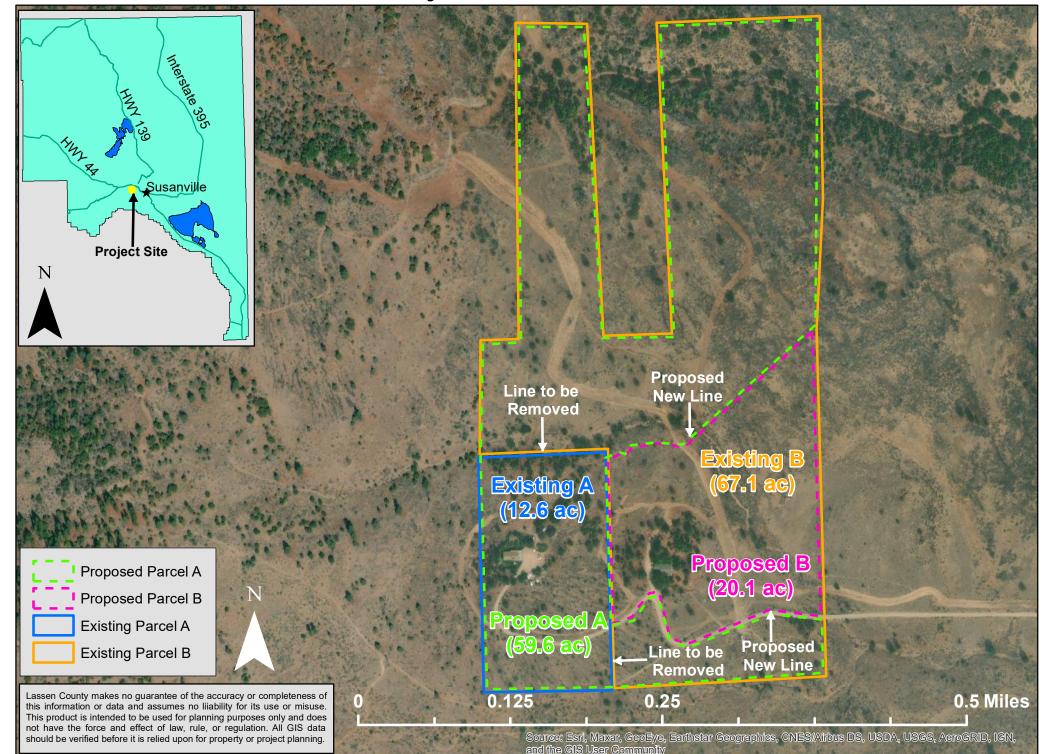
Im Willis

Don Willis, L.S. 7742 Lassen County Surveyor

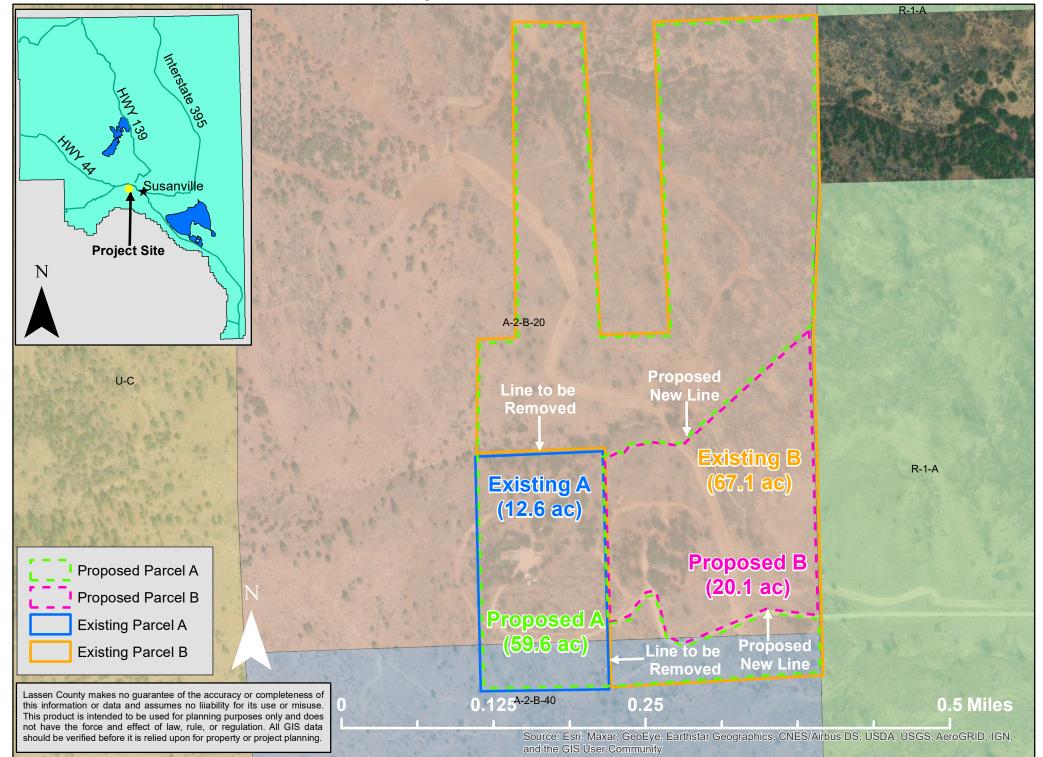
Lot Line Adjustment #2022-007, Davie



Lot Line Adjustment #2022-007, Davie



Lot Line Adjustment #2022-007, Davie





LOT LINE/MERGER APPLICATION

FILING FEE: \$500 and ENV HEALTH FEE: \$85.00 per parcel DEPARTMENT OF PLANNING AND BUILDING SERVICES 0 2 2022

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

4#2

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.

Property Owner/s	Property Owner/s
Name: BRUCE & PATRICIA DAVIE FAMILY TRUST	Name:
Mailing Address: 697-465 BAUER ROAD	Mailing Address:
City, ST, Zip: SUSANVILLE, CA 96130	City, ST, Zip:
Telephone: (530) 257-9220 Fax:	Telephone: Fax:
Email:	Email:

Applicant/Authorize	d Representative*	Agent (Land Surveyor/Engineer/Consultant)
Same as above: 🔀		Correspondence also sent to: \mathbf{X}
Name:		Name: NST ENGINEERING, INC
Mailing Address:		Mailing Address: 1495 RIVERSIDE DRIVE
City, ST, Zip:		City, ST, Zip: SUSANVILLE, CA 96130
Telephone:	Fax:	Telephone: (530) 257-5173 Fax:
Email:	1	Email: License #: LS4647

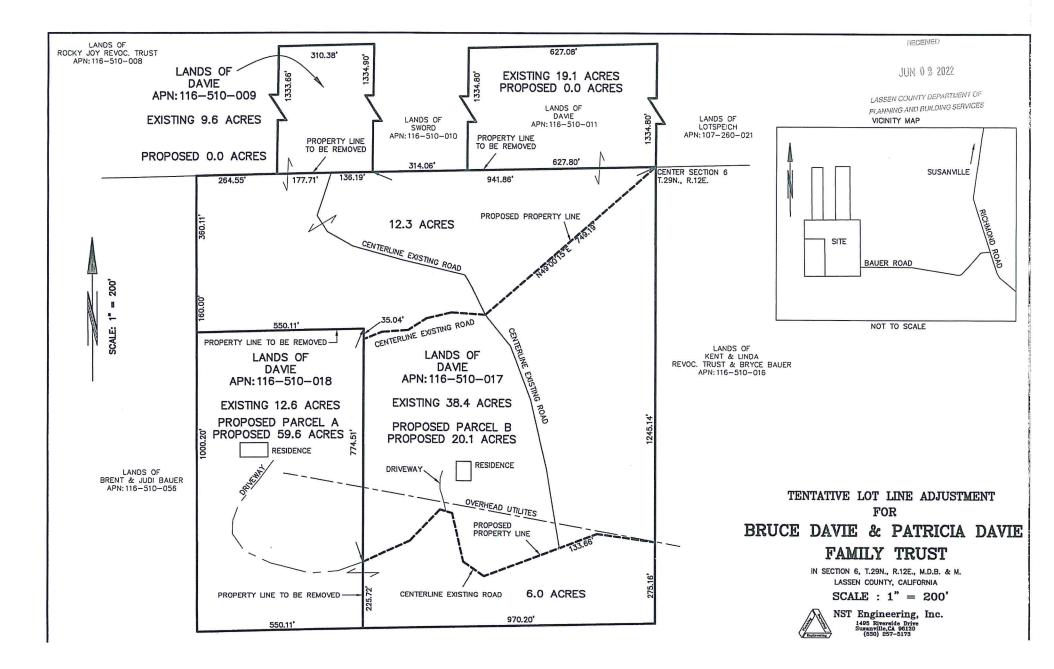
Project Address or Specific Location:	
Deed Reference: Book: 2009-03087 2006-01618 Page: 2009-05380	Year: Doc#:
Zoning: A-2-B-20 (116-510-009, 011), A-2-B-20 & A-2-B-40 (116-510-17,18)	General Plan Designation: RURAL RESIDENTIAL
Parcel Size (acreage): 79.7 AC	Section: 6 Township: 29 Range: 12

Assessor's Parcel Number(s):	116 - 510 - 009	116 - 510 -017	116 - 510 - 018
	116 - 510 - 011		

Parcel	Size before adjustment (sq. ft. or acres)	Size after adjustment (sq. ft. or acres)
Α	12.6 AC	59.6 AC
B	38.4 AC	20.1 AC
	19.1AC (67.1ac total for B	0 AC
	9.6 AC	0 AC

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	*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).
concerning this application.	
Bruce alori Date: 6/12022	Date:
Date:	Date:

See associated process form for required attachments and instructions.



Nancy McAllister

From: Sent: To: Subject: nst@frontiernet.net Thursday, June 23, 2022 2:51 PM Nancy McAllister Re: Lot Line Adjustment #2022-007, Davie

This message comes from an external sender. EXTERNAL SENDER WARNING!

Please see below in red

NST Engineering, Inc 1495 Riverside Drive Susanville, CA 96130 (530) 257-5173 www.nstengineering.com

On Thursday, June 23, 2022, 12:00:09 PM PDT, Nancy McAllister <nmcallister@co.lassen.ca.us> wrote:

Hi Julie,

Just to be clear, would you mind answering the following questions individually? I will put your answers in the project file in lieu of an updated tentative map.

- Does each residence currently have its own well and septic system/leachfield contained within its respective legal parcel? And if so:

YES

- Will both the well and septic located on Existing Parcel A (12.6 acres) continue to be located on Proposed Parcel A (59.6 acres)? and

YES

- Will both the well and septic located on Existing Parcel B (67.1 acres) continue to be located on Proposed Parcel B (20.1 acres)?

YES

- Will all improvements standing 12" or more above grade (including wells) be at least 20 feet away from the new legal parcel boundary lines as proposed?

YES

Thank you!

Nancy J. McAllister

Senior Planner

Planning and Building Services

707 Nevada St. Suite 5

Susanville CA 96130

Phone: (530) 251-8269

Fax: (530) 251-8373



From: nst@frontiernet.net <nst@frontiernet.net> Sent: Thursday, June 23, 2022 11:41 AM To: Nancy McAllister <nmcallister@co.lassen.ca.us> Subject: Fw: Lot Line Adjustment #2022-007, Davie

This message comes from an external sender. EXTERNAL SENDER WARNING!

Hi Nancy,

I got a message from the Surveyors, and they said the existing well and leachfield are not near the proposed property lines so they did not depict them. Let us know if you need anything else.

Julie

NST Engineering, Inc 1495 Riverside Drive Susanville, CA 96130 (530) 257-5173 www.nstengineering.com