



County of Lassen
Department of Planning and Building Services

• Planning

• Building Permits

• Code Enforcement

• Surveyor

• Surface Mining

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

November 4, 2021

TO: Technical Advisory Committee
Agenda Date: November 4, 2021

DRAFT

Zoning & Building
Inspection Requests
Phone: 530 257-5263

FROM: Maurice Anderson, Director

RE: Lot Line Adjustment #2021-006, Leighton Ratkey and Joann Ratkey Family Trust

Project Description

LOT LINE ADJUSTMENT #2021-006, Leighton Ratkey and Joann Ratkey Family Trust. The applicant is proposing a merger and lot line involving three legal parcels, all under the same ownership, that together total approximately 36,200 square feet (0.831 acres). "Parcel A" (westernmost existing parcel) is currently 19,400 square feet (0.445 acres), "Parcel B" (middle existing parcel) is currently 4,200 square feet (0.097 acres), and "Parcel C" is currently 12,600 square feet (0.289 acres). If approved, Parcel A would become approximately 12,400 square feet (0.285 acres), Parcel B would become approximately 23,800 square feet (0.546 acres), and Parcel C would be removed (0 acres), as it would be merged with Parcel B. The subject parcels are currently zoned C-T-D (Town Service Design Combining District) and are designated "Town Center" by the *Lassen County General Plan, 2000*, as amended by the *Standish-Litchfield Area Plan, 1986*. The proposed project is exempt from the California Environmental Quality Act (CEQA) under Section 15305 of the CEQA Guidelines. The subject parcels are located approximately 13 miles east of Susanville via Highways 36 and 395, on the corner of Highway 395 and Sierra Street in Standish, CA. APNs 119-230-026, 028, and 029. Staff Contact: Nancy McAllister, Associate Planner

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

1. The applicant is proposing a merger and lot line adjustment involving three legal parcels, all under the same ownership, that together total approximately 36,200 square feet (0.831 acres).
2. "Parcel A" (westernmost existing parcel) is currently 19,400 square feet (0.445 acres), "Parcel B" (middle existing parcel) is currently 4,200 square feet (0.097 acres), and "Parcel C" is currently 12,600 square feet (0.289 acres).
3. If approved, Parcel A would become approximately 12,400 square feet (0.285 acres), Parcel C would be merged with Parcel B and become approximately 23,800 square feet (0.546 acres).
4. The subject parcels are currently zoned C-T-D (Town Service Design Combining District) and are designated "Town Center" by the *Lassen County General Plan, 2000*, as amended by the *Standish-Litchfield Area Plan, 1986*.

5. 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.”

6. Lassen County Code Section 18.34.010 states the intent of the C-T district as follows:

“C-T districts are intended to promote and enhance the diversified uses compatible with and necessary for the maintenance and viability of town centers and rural communities. In combination with residential and public uses, these groupings of stores provide daily and weekly convenience shopping and services for the surrounding area. The C-T districts also provide for social and cultural headquarters for the county subareas with schools, fraternal organizations, churches, etc.”

7. Lassen County Code Chapter 18.34 *Town Service District* identifies as a minimum building site area, *“none, except as required elsewhere in this code.”*
8. According to the applicant, existing Parcel A is improved with a post office (Standish Post Office), garage, well, pump house, and septic system. A single-family residence appears to span existing Parcels A, and B. If the proposed parcel configuration is approved, the post office will be located on proposed Parcel A and all other improvements would be located on proposed Parcel B, and existing improvements would meet the yard requirements of the C-T zoning district, found in Lassen County Code Section 18.34.050.
9. Currently both the residence on Parcels B and C, and the post office on Parcel A utilize the septic and well on Parcel A.
10. Lassen County Code Section 12.12.020 *Minimum lot size for the installation of private sewage systems* identifies in subsection (a)(2) states that:
- “Existing, legally created lots which are less than one acre in size may be developed if the applicant has demonstrated to the Lassen County health director or designee, through the **variance process**, that adequate area and on-site soil conditions exist for the proper installation of the necessary septic tank system. In determining the adequate lot area, the Lassen County health department shall consider the area required for the original septic tank installation and the area available for future replacement of the system.”* (emphasis added)

Section (b) of 12.12.020 states:

*“Any owner of a legally created parcel of land or a lot with less than one acre may apply for a variance. However, **no variance shall be granted for parcels having a net area of less than fifteen thousand square feet**, or for developments proposing more*

than two equivalent dwelling units, (EDUs) per acre without prior approval by the regional water quality board.” (emphasis added)

11. As stipulated in Lassen County Code Section 12.12.020 (above), if approved, proposed Parcel A will not have sufficient area for installation of an individual septic system, nor will it have sufficient area to request a variance.
12. If approved, the applicant has offered that proposed Parcel B would continue to provide water and sewer service to Parcel A. That said, if this arrangement ceased and the service was severed, the post office building would be left uninhabitable and Parcel A would not be eligible for installation of an individual septic system.
13. The applicants Leighton and Joann Ratkey have also offered to record an easement in order to guarantee continued service to Parcel A, however, because they currently own all parcels, California Civil Code Sections 805 and 811 prevents creation of an easement.
14. The Lassen County Surveyor has suggested that, because Leighton and Joann Ratkey intend to sell Proposed Parcel B and all improvements thereon, that a “Declaration of Easement” document could be recorded to ensure an easement is created at the time of sale, to provide water and septic service from Parcel B to Parcel A; which would also allow for the Certificate of Lot Line Adjustment to be recorded.
15. The Department of Planning and Building Services finds that provided an easement is recorded concurrently with the sale of the property, that the proposed lot line adjustment is consistent with the *Lassen County General Plan, 2000, and Standish-Litchfield Area Plan 1986*.
16. The Technical Advisory Committee shall approve, conditionally approve, or disapprove this lot line adjustment application pursuant to Lassen County Code Section 16.12.040.
17. The proposed project is exempt from the California Environmental Quality Act (CEQA) under Section 15305 of the CEQA Guidelines.

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. As stipulated in Lassen County Code Section 12.12.020, Parcel A will not have sufficient area for installation of an individual septic system, nor will it have sufficient area to request a variance, and thus the Certificate of Lot Line Adjustment shall only be recorded after a Declaration of Easement document has been recorded affirming that at the time of sale of either Parcel A or Parcel B, an easement will be created from the owner(s) of Parcel B, to the owner(s) of Parcel A, granting Parcel A use of the well and septic on Parcel B.



County of Lassen

Department of Planning and Building Services

• Planning

• Building Permits

• Code Enforcement

• Surveyor

• Surface Mining

October 20, 2021

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

TO: Technical Advisory Committee
Agenda Date: November 4, 2021

Zoning & Building

Inspection Requests

Phone: 530 257-5263

FROM: Don Willis, Lassen County Surveyor

RE: Lot Line Adjustment No. 2021-006 – The Leighton Ratkey and Joann Ratkey Family Trust.
Assessor's Parcel Numbers: 119-230-026, 119-230-028 and 119-230-029.

LASSEN COUNTY SURVEYOR FINDS AS FOLLOWS:

1. The application and tentative map submitted for Lot Line Adjustment No. 2021-006 show three Assessor's parcels involved in the proposed boundary line adjustment. These Assessor's Parcel Numbers are 119-230-026, 119-230-028 and 119-230-029.
2. The subject lands are located within the Northeast one-quarter of Section 20, Township 29 North, Range 14 East, Mount Diablo Base and Meridian, within the community of Standish, in Lassen County, California.
3. Title to the subject lands is held by Leighton Ratkey and Joann Ratkey, Co-Trustees of the Leighton Ratkey and Joann Ratkey Family Trust, dated June 20, 2018, per a Grant Deed recorded on June 25, 2018 as Document No. 2018-02437 of the Official Records of Lassen County. The legal descriptions within this document describe three parcels which are composed of various lots within Block 19 of the Town of Standish, as the map of the same was filed on December 26, 1899 in Book 1 of Maps, Page 56, of the Official Records of Lassen County.
4. There are three underlying legal parcels that exist within the subject ownership as evidenced by three separate deeds that have been recorded in the Official Records of Lassen County. The first of these is comprised of Lots 1, 2, 3, and 4 in Block 19 of the Town of Standish, as the same is recorded at Book 1 of Maps at Page 56, *together with* a 20 foot wide strip along the westerly side of said Lot 1. This is evidenced by a deed that was recorded on October 26, 1912 in Book V of Deeds at Page 589 of the Official Records of Lassen County. The second legal parcel that is present is comprised of Lot 5 in Block 19 of said Town of Standish and this is evidenced by a deed that was recorded on April 17, 1907 in Book R of Deeds at Page 27 of the Official Records. The third legal parcel that is present is comprised of Lots 6, 7 and 8 in Block 19 of said

Town of Standish and this is evidenced by a deed that was recorded on April 17, 1907 in Book R of Deeds at Page 26 of the Official Records of Lassen County. These parcels were originally created by the recordation of these deeds since the map of the Town of Standish would not be considered a parcel creating document due to the timeframe that it was filed in (1899). Therefore, these parcels would be in compliance with the provisions of the Subdivision Map Act as they were recorded many decades before the cutoff date of March 4, 1972, after which a parcel map would have been required to create the parcels.

5. The proposed adjustment will not create any additional parcels and will eliminate one of the existing underlying legal parcels for a total of two resultant parcels.
6. The westerly portion of the East-West alley that is located within Block 19 of said Town of Standish was abandoned on July 2, 1934 by the Lassen County Board of Supervisors as shown in Book J of Minutes, Page 189. This abandonment extends westerly from Lots 10 and 27 of said Block 19 and would apply to all of the subject parcels held by the Ratkey Family Trust.
7. The tentative map submitted for Lot Line Adjustment No. 2021-006 shows that a new boundary line is to be created 90 feet easterly of the current westerly boundary line of the Ratkey ownership. This will provide for the Standish Post Office building to be located on its own separate legal parcel since it is currently located on the same parcel as the Ratkey home. The U.S. Postal Service leases the structure from the Ratkey's as evidenced by a "*Lease, U.S. Postal for Standish, CA*" document that was recorded on September 19, 2003 as Document No. 2003-09491 of the Official Records of Lassen County. The boundary line adjustment proposal would cause the Postal Service parcel to be approximately 12,400 square feet (0.28 acres) in size and would cause the remaining parcel to be approximately 23,800 square feet (0.55 acres) in size as shown on an additional tentative map that was prepared by this department.
8. Access to the subject property is provided by U.S. Highway 395 and Sierra Street. U.S. Highway 395 is maintained by the State of California whereas Sierra Street is privately maintained and is not within the County maintained road system. The proposed parcels would utilize access which currently exists and the reconfiguration of the parcels would not change any existing access.
9. 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.

10. 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. 2021-006 (THE LEIGHTON
RATKEY AND JOANN RATKEY FAMILY TRUST):**

1. The applicants shall provide a current Condition of Title report for the three existing legal parcels (represented by three Assessor's Parcel Numbers) as shown on the tentative map and listed on the application submitted for Lot Line Adjustment No. 2021-006.
2. The adjustment of the boundary lines shall be completed as shown on the tentative map submitted for Lot Line Adjustment No. 2021-006.
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 Leighton Ratkey and Joann Ratkey, as Co-Trustees of the Leighton Ratkey and Joann Ratkey Family Trust, dated June 20, 2018, 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 appropriate fees for review and recording of all required documents.
4. Easements for sewer and water line purposes shall be created to serve the U.S. Postal Service building, which is located on the westerly portion of the subject property, as existing sewer and water services for this building are currently shared with the existing home located easterly of this. The relocation of a "new" boundary line in between these structures will facilitate the need for easements as this action will formally separate the U.S. Postal Service building from the remaining property that is held by the property owners. Currently, this building is located on the same legal parcel as the existing home and is being leased by the property owners to the U.S.

Government. These easements shall be created and recorded in the Official Records of Lassen County and shall be created in a manner that does not violate Sections 805 and 811 of the California Civil Code.

5. 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. 2021-006 and a Preliminary Change of Ownership Report shall accompany each executed deed.
6. If there are any Deeds of Trust encumbering any of the existing parcels, 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.
7. 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. 2021-006, 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.
8. 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,



Don Willis, L.S. 7742
Lassen County Surveyor