



County of Lassen

Department of Planning and Building Services

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

November 19, 2020

Maurice L. Anderson, Director

707 Nevada Street, Suite 5

Susanville, CA 96130-3912

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website: www.co.lassen.ca.us

TO: Technical Advisory Committee
Agenda Date: December 3, 2020

FROM: Maurice Anderson, Director

RE: Lot Line Adjustment #2020-007, Laraway

Zoning & Building

Inspection Requests

Phone: 530 257-5263

DRAFT

Project Description

LOT LINE ADJUSTMENT #2020-007, Laraway Family 1992 Revocable Trust et al. The applicant is proposing a lot line adjustment between two parcels that together total approximately 200 acres. Parcel A is currently 120 acres in size, whereas Parcel B is currently 80 acres in size. If approved, Parcel A would be approximately 40 acres in size, whereas Parcel B would be approximately 160 acres in size. Parcel A is zoned A-2-B-9 and A-2-B-19 (Agricultural Residential District, 9- and 19-Acre Building Site Combining Districts, respectively), whereas Parcel B is currently zoned T-P-Z (Timber Production Zone District). If the lot line adjustment were approved, Parcel A would be zoned A-2-B-9, whereas Parcel B would be zoned T-P-Z, A-2-B-9, and A-2-B-19 in different portions. Parcel A is designated "Rural Residential," whereas Parcel B is designated "General Forest Environment" by the *Janesville Planning Area, 1993*. The address for Parcel A is 462-300 Upper Christie Street, Janesville, CA 96114, whereas Parcel B does not have an address. The subject parcels are located approximately two miles south of the intersection of Christie Street and Janesville Main Street. Parcel A: APN 129-210-61. Parcel B: APN 129-210-62. Staff Contact: Stefano Richichi, Senior Planner

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

1. The applicant is proposing a lot line adjustment between two parcels that together total approximately 200 acres.
2. Parcel A is currently 120 acres in size, whereas Parcel B is currently 80 acres in size.
3. If approved, Parcel A would be approximately 40 acres in size, whereas Parcel B would be approximately 160 acres in size.
4. Parcel A is zoned A-2-B-9 and A-2-B-19 (Agricultural Residential District, 9- and 19-Acre Building Site Combining Districts, respectively), whereas Parcel B is currently zoned T-P-Z (Timber Production Zone District).
5. If the lot line adjustment were approved, Parcel A would be zoned A-2-B-9, whereas Parcel B would be zoned T-P-Z, A-2-B-9, and A-2-B-19 in different portions.
6. 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.

7. Lassen County Code Section 18.70.010 state the intent behind the T-P-Z zoning district as follows:

The T-P-Z district is devoted to those areas dedicated to the growing, conserving, and production of timber in areas of sufficient size to be economically feasible. It is designed to protect these areas from intrusion by incompatible uses and to separate these areas from a mixture of uses which may be hazardous or unsafe.

8. Furthermore, Land Use Policy 42 of the *Lassen County General Plan, 2000* states:

The County supports the conservation and management of timber production areas for the production of timber and other multiple uses compatible with timber production and shall, within the County's authority, protect these areas from land uses (e.g. residential development) and factors which would significantly restrict their capacity for production.

9. In addition, if this lot line adjustment were approved, residential uses (including a residence) would be allowed immediately adjacent to the portion of the resultant parcel that is zoned T-P-Z. As the parcels are currently configured, a 30-foot fire safety setback would create a de facto buffer between the parcel currently zoned T-P-Z and any residential development proposed.
10. In light of the above, the Director of the Department of Planning and Building Services has determined that allowing the creation of a parcel that is split-zoned that has both T-P-Z and A-2 zoning districts exacerbates an instance of zoning incompatibility.
11. All qualifying structures are subject to the 30-foot setback requirement per Lassen County Code Section 9.16.103(d)(1)(A) and the 2020 State Responsibility Area Fire Safe Regulations.
12. In light of the above, the Director of the Department of Planning and Building Services finds that the proposed lot line adjustment is inconsistent with the *Janesville Planning Area, 1993*, the *Lassen County General Plan, 2000*, and the zoning standards set forth in Title 18 of the Lassen County Code. The Director therefore recommends that the Technical Advisory Committee disapprove this lot line adjustment application and that the applicant submit a parcel map application for the proposed project instead.
13. The Technical Advisory Committee shall approve, conditionally approve, or disapprove this lot line adjustment 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

November 12, 2020

DRAFT

Maurice L. Anderson, Director

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

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email: landuse@co.lassen.ca.us

website: www.co.lassen.ca.us

TO: Technical Advisory Committee
Agenda Date: December 3, 2020

Zoning & Building

Inspection Requests

Phone: 530 257-5263

FROM: Don Willis, Lassen County Surveyor

RE: Lot Line Adjustment No. 2020-007 – The 1992 Laraway Family Revocable Trust.
Assessor's Parcel Numbers: 129-210-61 and 129-210-62.

LASSEN COUNTY SURVEYOR FINDS AS FOLLOWS:

1. The application and tentative map submitted for Lot Line Adjustment No. 2020-007 show two parcels involved in the proposed boundary line adjustment. These parcels are known as Assessor's Parcel Numbers 129-210-61 and 129-210-62 and are located within portions of Sections 17 and 18, Township 28 North, Range 13 East, Mount Diablo Base and Meridian, in Lassen County, California.
2. Title to the lands described in Findings Item Number One above is currently vested in Norman E. Laraway, as Trustee of The 1992 Laraway Family Revocable Trust, Under Declaration of Trust Dated September 17, 1992, and as Successor Trustee of Trust A and Trust B Thereunder, as shown at a Trust Transfer Deed recorded on May 9, 2019 as Document Number 2019-01591 of the Official Records of Lassen County. An Order Confirming Validity of Trust, Confirming Trustee and Confirming Assets to Trust, was recorded on June 13, 2019 as Document Number 2019-02141 of the Official Records of Lassen County. This Order confirmed the 1992 Laraway Trust as valid, states that Norman "Bud" Laraway is the appointed Successor Trustee of said Trust and states that Norman "Bud" Laraway is the owner in fee simple of 17% as to said Trust A and 83% as to said Trust B.
3. The legal descriptions within the two documents described in Findings Item Number Two above describe two separate parcels. Parcel One is described as the North one-half of the Southwest one-quarter (N1/2 SW1/4) and the Southwest one-quarter of the Southwest one-quarter (SW1/4 SW1/4) of Section 17, Township 28 North, Range 13 East, Mount Diablo Base and Meridian. These lands are represented by Assessor's Parcel Number 129-210-61. Parcel Two is described as the East one-half of the Southeast one-quarter (E1/2 SE1/4) of Section 18, Township 28 North, Range 13 East, Mount Diablo Base and Meridian. These lands are represented by Assessor's Parcel Number 129-210-62.
4. The underlying legal parcel for the lands located in said Section 17 (Parcel One in Findings Item Number Three above = Assessor's Parcel Number 129-210-61) was created by Lot Line Adjustment No. 910005. This adjustment was approved by the Lassen County Technical Advisory Committee on July 18, 1991 and a Consent of Record Owners document was recorded on August 27, 1991 in Book 542, Page 129, of the Official Records of Lassen County. Parcel Two of this adjustment describes the subject lands in said Section 17, however it also

includes *additional* lands that are located in the Southeast one-quarter of said Section 17. These additional lands are known as Assessor's Parcel Number 129-210-13 and are currently owned by separate owners. The *additional* lands were issued a Certificate of Compliance in 1995 (four years after approval of the Lot Line Adjustment) by the County of Lassen however the *remaining* lands of Parcel Two of Lot Line Adjustment No. 910005 were *not* included within the Certificate. This is evidenced by Certificate of Compliance No. 16-95 which was recorded on June 27, 1995 in Book 620, Page 22, of the Official Records of Lassen County. No Certificate of Compliance was ever issued for the remaining lands of said Parcel Two of the boundary line adjustment. The issuance of a Certificate of Compliance for only a *portion* of a legal parcel, which was originally created by an approved Lot Line Adjustment, essentially "creates" an additional parcel due to the omission of the remaining lands within the original legal parcel. Therefore, the subject lands within said Section 17 (Assessor's Parcel Number 129-210-61) would be considered a separate legal parcel that is in compliance with the provisions of the Subdivision Map Act and local ordinances.

5. The underlying legal parcel for the subject lands located in said Section 18 (Parcel Two in Findings Item Number Three above = Assessor's Parcel Number 129-210-62) was created by said Lot Line Adjustment No. 910005, which was approved by the Lassen County Technical Advisory Committee on July 18, 1991. Parcel Three of this adjustment describes the subject lands that are located in said Section 18. Therefore, this parcel was created in compliance with the provisions of the Subdivision Map Act and local ordinances.
6. The tentative maps submitted for Lot Line Adjustment No. 2020-007 show that the existing boundary line common to Assessor's Parcel Numbers 129-210-61 and 129-210-62 is proposed to be shifted easterly approximately 1320 feet. This would cause a 40 acre parcel to be created within the Northeast one-quarter of the Southwest one-quarter (NE1/4 SW1/4) of said Section 17 and would cause a second 160 acre parcel to be created within the West one-half of the Southwest one-quarter (W1/2 SW1/4) of said Section 17 and the East one-half of the Southeast one-quarter (E1/2 SE1/4) of said Section 18. This would cause the size of the parcel represented by Assessor's Parcel Number 129-210-61 to decrease to 40 acres and would cause the size of the parcel represented by Assessor's Parcel Number 129-210-62 to increase to 160 acres if the proposed adjustment were approved.
7. The subject parcels are accessed via Upper Christie Street by multiple private easements of varying widths that have been recorded over the years. These easements provide access over said Upper Christie Street out to the County maintained portion of Christie Street. Upper Christie Street is privately maintained and is not in the County maintained road system.
8. 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.
9. 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. 2020-007 (THE 1992 LARAWAY FAMILY REVOCABLE TRUST):

1. The applicants shall provide current Condition of Title Guarantee reports for the two parcels shown on the tentative maps and listed on the application submitted for Lot Line Adjustment No. 2020-007.
2. The adjustment of the boundary lines shall be completed as shown on the tentative maps submitted for Lot Line Adjustment No. 2020-007.
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 Norman E. Laraway, as Trustee of the 1992 Laraway Family Revocable Trust, under Declaration of Trust dated September 17, 1992, and as Successor Trustee of Trust A and Trust B Thereunder, as record owner 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. 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. 2020-007 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. 2020-007, 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. 2020-007, 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,



Don Willis, L.S. 7742
Lassen County Surveyor

Use Permit #2020-007, Laraway 1992 Revocable Trust et al.





LOT LINE/MERGER APPLICATION

FILING FEE: \$500 and ENV HEALTH FEE: \$85.00 per parcel
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

RECEIVED

NOV 06 2020

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. LL #2020-007

Property Owner/s	Property Owner/s
Name: <u>Becky Thomson</u>	Name: <u>Bud Lavaway</u>
Mailing Address: <u>462-600 Upper Christie Rd.</u>	Mailing Address: <u>P.O. Box 425</u>
City, ST, Zip: <u>Janesville, CA 96114</u>	City, ST, Zip: <u>Shaver Lake, CA 93664</u>
Telephone: <u>(530) 253-3681</u> ^{cell} <u>(530) 251-3953</u>	Telephone: <u>(559) 289-9037</u> ^{Fax}
Email: <u>blavawaythomson1@hotmail.com</u>	Email: <u>budski@netptc.net</u>

Applicant/Authorized Representative*	Agent (Land Surveyor/Engineer/Consultant)
Same as above: <input checked="" type="checkbox"/>	Correspondence also sent to: <input type="checkbox"/>
Name:	Name:
Mailing Address:	Mailing Address:
City, ST, Zip:	City, ST, Zip:
Telephone: Fax:	Telephone: Fax:
Email:	Email: License #:

OLD APN 129-210-05,06 & 08

Project Address or Specific Location: <u>462-300 Upper Christie, Janesville, CA 96114</u>			
Deed Reference: Book:	Page:	Year:	Doc#:
Zoning: <u>A2-B9</u>	General Plan Designation:		
Parcel Size (acreage): <u>200 ac.</u>	Section:	Township:	Range:

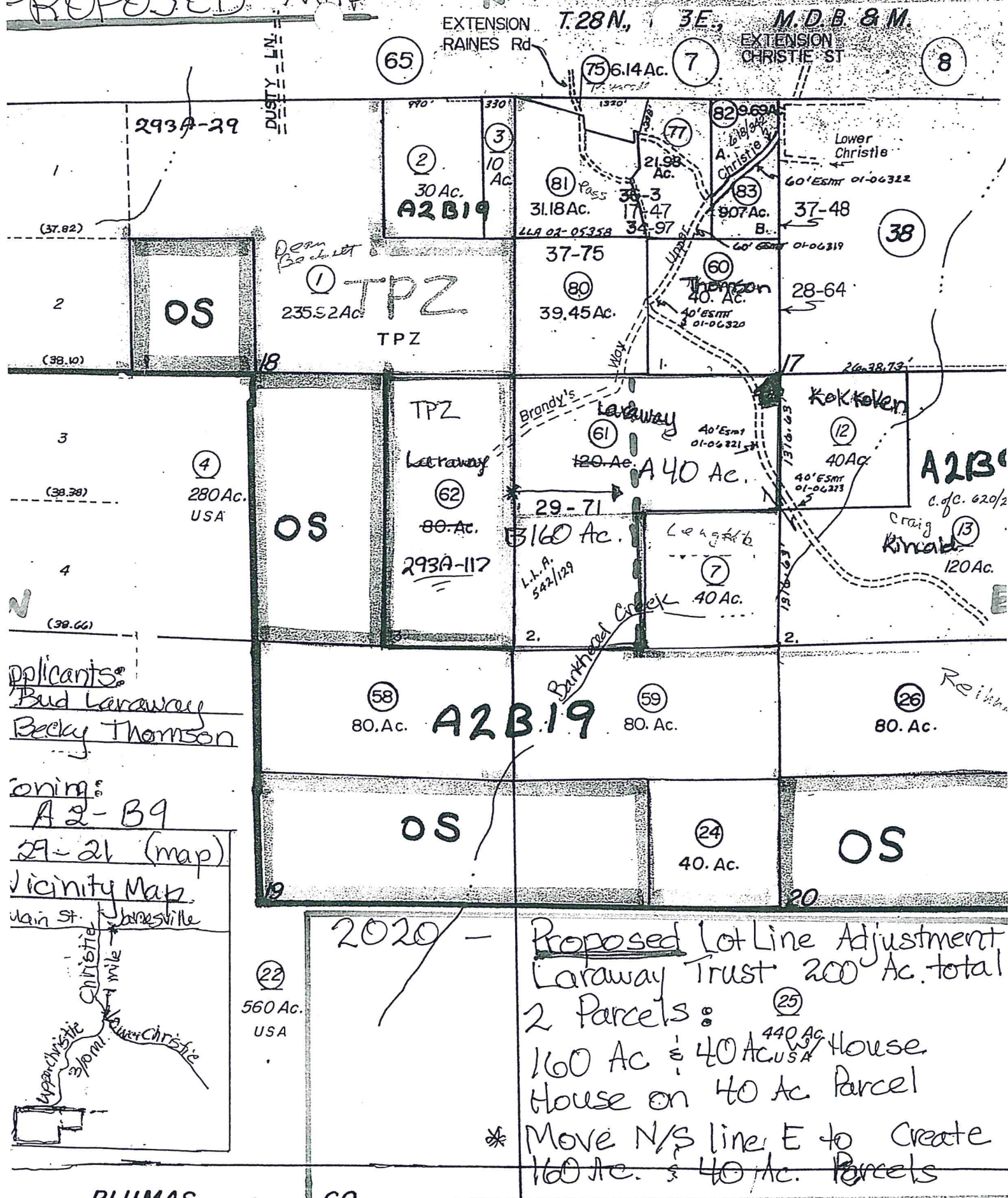
Assessor's Parcel Number(s):	<u>129 - 210 - 62 - 11</u>	-	-
<u>129 - 210 - 61 - 11</u>	-	-	-

Parcel	Size before adjustment (sq. ft. or acres)	Size after adjustment (sq. ft. or acres)
A	<u>120 AC</u>	<u>40 AC</u>
B	<u>80 AC</u>	<u>160 AC</u>
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.	*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).
<u>Becky Thomson</u> ^{Date:} <u>4, 2020</u>	<u>Bud Lavaway</u> ^{Date:} <u>11-4-20</u>
Date:	Date:

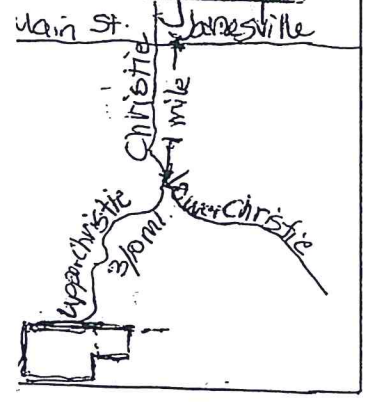
See associated process form for required attachments and instructions.

PROPOSED MAP



Applicants:
 Bud Laraway
 Becky Thomson

Zoning:
 A2-B9
 29-21 (map)
 Vicinity Map
 Main St. - Brasoville



2020 -

Proposed Lot Line Adjustment
 Laraway Trust 200 Ac. total
 2 Parcels:
 160 Ac. & 40 Ac. USA House
 House on 40 Ac. Parcel
 * Move N/S line E to Create
 160 Ac. & 40 Ac. Parcels

PLUMAS

CO.

RS 28 PG.64 LARAWAY
RS 29 PG.58 WHITE HE
RS 29 PG.71 EMERSON
PM 31 PG.17 ARMSTROI