



County of Lassen
Department of Planning and Building Services

• Planning • Building • Environmental Health • Code Enforcement • Surveyor • Surface Mining

December 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: January 6, 2022

Zoning & Building
Inspection Requests
Phone: 530 257-5263

FROM: Maurice Anderson, Director

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

RE: LOT LINE ADJUSTMENT #2021-009,
Martin/Estabrook, Technical Advisory Meeting Findings and Conditions.

LOT LINE ADJUSTMENT #2021-009, Martin/Estabrook. The applicants are proposing a lot line adjustment between two legal parcels that together total approximately 279 acres. “Parcel A” is currently 119 acres, and “Parcel B” is currently 160 acres. If the Lot Line Adjustment were approved, Parcel A would become 80 acres, and Parcel B would become 199 acres. Both Parcels are Zoned E-A-A-P (Exclusive Agricultural Agricultural Preserve Combining District), and are designated “Intensive Agriculture” by the *Lassen County General Plan, 2000*, as amended by the *Standish-Litchfield Area Plan, 1986*. The subject parcels are located approximately one-quarter of a mile east of Standish Buntingville Road and two miles south of Highway 395. Parcel A: APNs 119-450-022, 023; Parcel B: APN 119-450-027. Staff Contact: Nancy McAllister, Senior Planner

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

1. The property owners have submitted a lot line adjustment application proposing an adjustment of approximately 39 acres between two legal parcels totaling 279 acres.
2. “Parcel A” is currently 119 acres, and “Parcel B” is 160 acres.
3. If approved, Parcel A would become 80 acres and Parcel B would become 199 acres.
4. The Lassen County Surveyor has indicated that both parcels were created legally.
5. Both Parcels are zoned E-A-A-P (Exclusive Agricultural Agricultural Preserve Combining District), and are designated “Intensive Agriculture” by the *Lassen County General Plan, 2000*, as amended by the *Standish-Litchfield Area Plan, 1986*.
6. The minimum parcel size required for parcels within E-A zoning districts is 100 acres.
7. The Lassen County General Plan 2000, states the following:

LUI3 POLICY: The County may approve applications for lot line adjustment which will result in a parcel or parcels the size of which are smaller than the minimum parcel size otherwise stipulated in the applicable general plan land use designation and/or zoning district.

8. Although proposed resultant Parcel A would measure 80 acres, an additional 428 acres of contiguous land is under the same ownership (Martin), most of which is being used for agriculture and is under Williamson Act contract.
9. The Department of Planning and Building Services finds that the proposed lot line adjustment is consistent with the intent of the zoning standards set forth in Title 18 of the Lassen County Code.
10. The Department of Planning and Building Services finds that the proposed lot line adjustment is consistent with the *Lassen County General Plan, 2000*, as amended by the *Standish-Litchfield Area Plan, 1986*.
11. According to the applicants, both parcels are unimproved. Both parcels appear to be used solely for agriculture.
12. Both subject parcels are currently under Williamson Act contract. While 39 acres will change ownership if this lot line adjustment is approved, sufficient acreage will remain under each unique ownership to satisfy contract requirements, meaning that new contracts will not be necessary.
13. The proposed lot line adjustment is exempt from the provisions of the Subdivision Map Act, pursuant to Section 66412(d) of the Government Code, which 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.”

14. The Technical Advisory Committee shall approve, conditionally approve, or disapprove this lot line adjustment application pursuant to Lassen County Code Section 16.12.040.
15. 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:

None.

MLA:njm



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December 16, 2021

DRAFT

TO: Technical Advisory Committee
Agenda Date: January 6, 2022

FROM: Don Willis, Lassen County Surveyor

RE: Lot Line Adjustment No. 2021-009 – Wilmer and Naomi Martin / Bruce and Carri Estabrook.
Assessor’s Parcel Numbers: 119-450-022, 119-450-023 and 119-450-027.

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LASSEN COUNTY SURVEYOR FINDS AS FOLLOWS:

1. The application and tentative map submitted for Lot Line Adjustment No. 2021-009 show two parcels involved in the proposed boundary line adjustment. These parcels are represented by Assessor’s Parcel Numbers 119-450-022, 119-450-023 (Martin) and 119-450-027 (Estabrook). The subject lands are located within a portion of Section 33, Township 29 North, Range 14 East, Mount Diablo Base and Meridian, in Lassen County, California.
2. Title to the lands represented by Assessor’s Parcel Numbers 119-450-022 and 119-450-023 is currently vested in Wilmer Martin and Naomi F. Martin, husband and wife as joint tenants, per a Grant Deed that was recorded on November 16, 2007 as Document No. 2007-08570 of the Official Records of Lassen County. The legal description within this document describes two separate parcels, with Parcel Two being the parcel involved in the current adjustment proposal. These lands are described as the North one-half of the Northeast one-quarter (N1/2 NE1/4) and the Southeast one-quarter of the Northeast one-quarter (SE1/4 NE1/4) of Section 33, Township 29 North, Range 14 East, Mount Diablo Base and Meridian, *excepting therefrom* a 175 ft. x 238 ft. parcel within said Southeast one-quarter of the Northeast one-quarter. This small parcel is represented by Assessor’s Parcel Number 119-450-013 and is not a part of the current adjustment proposal, despite being owned by Bruce and Carri Estabrook.
3. Title to the lands represented by Assessor’s Parcel Number 119-450-027 is currently vested in Bruce L. Estabrook and Carri B. Estabrook, husband and wife as joint tenants, per a Grant Deed that was recorded on September 26, 2007 as Document No. 2007-07263 of the Official Records of Lassen County. The legal description within this document describes three separate parcels, with Parcel One being the parcel involved in the current adjustment proposal. These lands are described as the South one-half of the Northwest one-quarter (S1/2 NW1/4), the Southwest one-quarter of the Northeast one-quarter (SW1/4 NE1/4) and the Northeast one-quarter of the Southwest one-quarter (NE1/4 SW1/4), all of Section 33, Township 29 North, Range 14 East, Mount Diablo Base and Meridian.
4. The underlying legal parcel for the lands represented by Assessor’s Parcel Numbers 119-450-022 and 119-450-023 (Martin) was recognized by the County of Lassen through the issuance

of Certificate of Compliance No. 21-2004, as the same was recorded on November 30, 2004 as Document No. 2004-11279 of the Official Records of Lassen County. The legal description within this document agrees with that in the vesting deed as described in Findings Item Number Two above. Based on the above, this parcel is in compliance with the provisions of the Subdivision Map Act and local ordinances.

5. The underlying legal parcel for the lands represented by Assessor's Parcel Number 119-450-027 (Estabrook) was recognized by the County of Lassen through the issuance of Certificate of Compliance No. 22-2004, as the same was recorded on November 30, 2004 as Document No. 2004-11278 of the Official Records of Lassen County. The legal description within this document agrees with that in the vesting deed as described in Findings Item Number Three above. Based on the above, this parcel is in compliance with the provisions of the Subdivision Map Act and local ordinances.
6. The tentative map submitted for Lot Line Adjustment No. 2021-009 indicates that one of the current boundary lines, which is located along the west line of the Southeast one-quarter of the Northeast one-quarter (SE1/4 NE1/4) of said Section 33, is to be removed and is to be reconfigured along the north line of said Southeast one-quarter of the Northeast one-quarter. This would allow that portion of said Southeast one-quarter of the Northeast one-quarter, which is currently owned by Wilmer and Naomi Martin, to be conveyed to Bruce and Carri Estabrook if the proposed adjustment were approved.
7. The application submitted for Lot Line Adjustment No. 2021-009 shows the Martin ownership labeled as Parcel A and the Estabrook ownership labeled as Parcel B. Parcel A is currently 119 acres in size and would decrease to 80 acres in size if the proposed adjustment were approved. Parcel B is currently 160 acres in size and would increase to 199 acres if the proposed adjustment were approved.
8. Access to the Martin ownership is provided by Capezzoli Lane, County Road No. 306, and by Lambert Lane, County Road No. 302, both of which are in the County maintained road system. Access to the Estabrook ownership is currently obtained over other lands owned by the Estabrook's which are located southerly and southeasterly of the subject parcel. This adjoining ownership allows for access to the subject parcel from either said Lambert Lane or Mapes Road, County Road No. 305, which is also in the County maintained road system. The subject parcel owned by the Estabrook's (A.P.N. 119-450-027) would gain direct access to said Lambert Lane, without having to cross other lands, if the proposed adjustment were approved.
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. 2021-009 (WILMER AND NAOMI MARTIN / BRUCE AND CARRI ESTABROOK):

1. The applicants shall provide current Condition of Title Guarantee reports for the two parcels shown on the tentative map and listed on the application submitted for Lot Line Adjustment No. 2021-009, which are represented by Assessor's Parcel Numbers 119-450-022, 119-450-023 (Martin) and 119-450-027 (Estabrook).
2. The adjustment of the boundary lines shall be completed as shown on the tentative map submitted for Lot Line Adjustment No. 2021-009.
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 Wilmer Martin and Naomi F. Martin, husband and wife as joint tenants, and by Bruce L. Estabrook and Carri B. Estabrook, husband and wife as joint tenants, all 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. 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. 2021-009 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. 2021-009, 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. 2021-009, 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

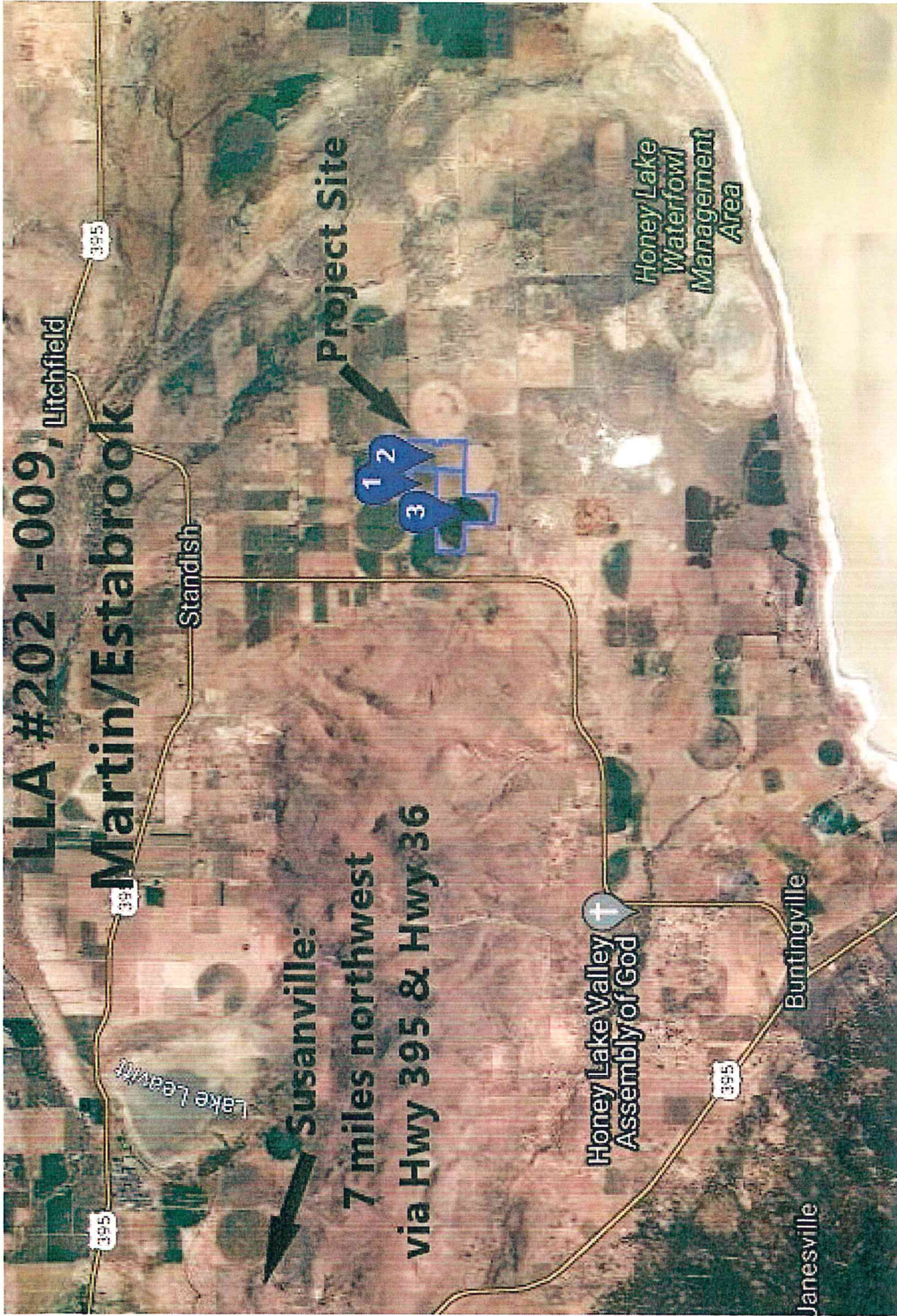
concurrently with the Certificate of Lot Line Adjustment and its submittal shall include appropriate fees for reviewing and filing of the Record of Survey.

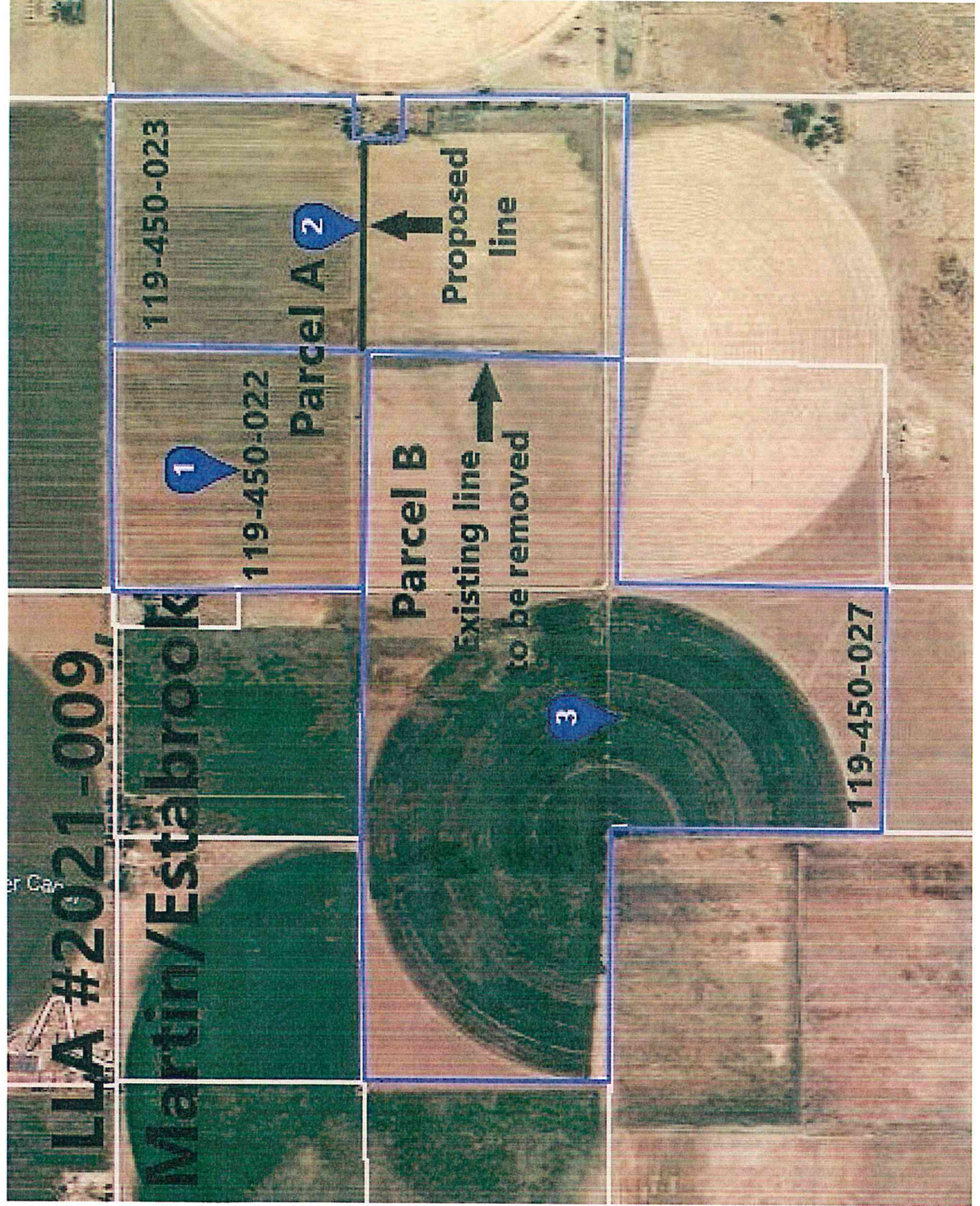
7. Prior to recordation of the Certificate of Lot Line Adjustment, documentation shall be provided to the Lassen County Surveyor's Office which demonstrates that the Lassen County Tax Collector is satisfied that all current and delinquent property taxes have been paid, including funds deposited that 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







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 22 2021

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. LLA#2021-009

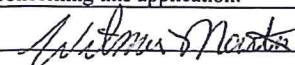
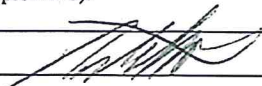
Property Owner/s	Property Owner/s
Name: <u>Wilmer Martin</u>	Name: <u>Bruce L & Cori B Esterbrook</u>
Mailing Address: <u>721-425 Capezzeri Ln</u>	Mailing Address: <u>402 Crumpton St</u>
City, ST, Zip: <u>Standish CA 96128</u>	City, ST, Zip: <u>Reno NV 89502</u>
Telephone: <u>530-260-1438</u> Fax:	Telephone: <u>775-721-4692</u> Fax:
Email: <u>martin farm @ mef mail . org</u>	Email:

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 #:

Project Address or Specific Location:			
Deed Reference: Book:	Page:	Year:	Doc#:
Zoning: <u>E-A-A-P</u>	General Plan Designation:		
Parcel Size (acreage):	Section:	Township:	Range:

Assessor's Parcel Number(s):	<u>(A) 119-450-2311</u>	<u>(B) 119-450-2711</u>	-	-
<u>(A) 119-450-22</u>	-	-	-	-

Parcel	Size before adjustment (sq. ft. or acres)	Size after adjustment (sq. ft. or acres)
A	79,000 <u>119</u>	80 <u>80</u>
B	<u>160</u>	<u>199</u>
C	<u>0</u>	
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).
	
Date: <u>11-9-21</u>	Date: <u>11-13-21</u>
Date:	Date:

See associated process form for required attachments and instructions.

Wilmer Martin Seller
Bruce Estabrook Buyer

APN 119-450-23 11

Tentative Lot Line Adjustment
Exempt PLAT

3

Ln. Co. Rd. 306

10

1. AC.

11

30.89 AC.

24-12 A.

12

2.50 AC.

40. AC.

AG. PR.

13

c.g.c.
04-11279
(113. AC.)

956 AC.

Parcel A Before 79 acre
After 40

119-450-2311

Conezzul

Site

Mapes

Location Map

17

160. AC.

c.g.c.
04-11270

AG. PR. 33

119-450-2711

Fence Existing
Line to be removed

Propose Property line

175'

79. AC.

AG. PR.

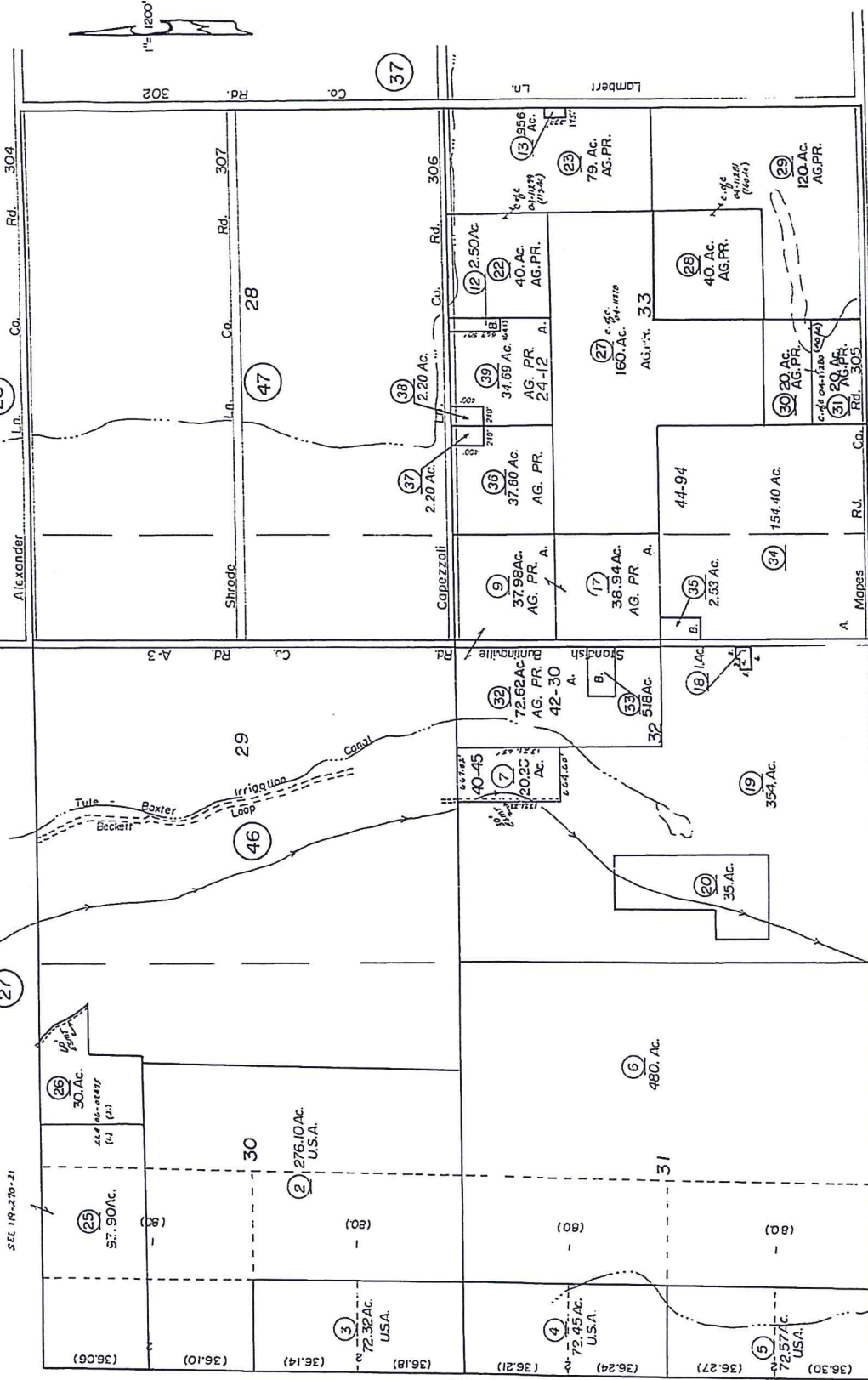
Parcel B. Before 79 acre
After 39 acres

Fence Existing

28

Lambert

5



Assessor's Map Bk. 119 Pg. 45
 County of Lassen, CA
 prepared by
 PARCELQUEST

AKA Wendel Farm to Market Road
 NOTE - Assessor's Parcel Numbers
 Shown in Circles

1. 175.3'
 2. 377.3'
 3. 123.50'
 4. 123.50'
 5. 220.89'

Map	Bk.	Pg.	Name
P.M.	24	12, 13	Marital RICHARDS
R.S.	42	30	RICHARDS
P.M.	44	94	RICHARDS

RECORDED MAPS

THIS MAP IS INTENDED FOR ASSESSMENT PURPOSES ONLY. NO LIABILITY IS ASSUMED FOR THE ACCURACY OF THE DATA PROVIDED.

SEE 119-270-21

BK. 117 Pg. 33

BK. 131 Pg. 8