



County of Lassen
Department of Planning and Building Services

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

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

March 24, 2022

DRAFT

TO: Technical Advisory Committee
Agenda Date: April 7, 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 #2022-002, Martin,
Technical Advisory Meeting Findings and Conditions.

LOT LINE ADJUSTMENT #2022-002, Martin. The applicants are proposing a lot line adjustment between two legal parcels (three Assessor's parcels) that together total approximately 275 acres. "Parcel A" is currently 160 acres, and "Parcel B" is currently 115 acres. If the lot line adjustment were approved, Parcel A would become 40 acres, and Parcel B would become 235 acres. Currently, Parcel A is split zoned E-A and A-2-B-20 (Agricultural Residential, 20-acre Building Site Combining District), and Parcel B is zoned E-A (Exclusive Agricultural District). The parcels are designated "Intensive Agriculture," and "Agricultural/Residential", per the *Standish-Litchfield Area Plan, 1986*. The subject parcels are located approximately off of Standish Buntingville Road approximately one-half mile south of Highway 395 (at Standish). APNs 119-270-017, 019; 119-280-014. Staff Contact: Matt May, Planning Manager

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" (APN's 119-270-019, and 119-280-014), and is 160 acres "Parcel B" (APN 119-270-017) is currently 119 acres.
3. If approved, Parcel B would become 235 acres (merger of lands underlying APNs 119-270-017 and 019) and Parcel A (APN 119-280-014) would become 40 acres.
4. The Lassen County Surveyor has indicated that both parcels were created legally.
5. Both Assessor's Parcels 119-270-017, and 019 are zoned E-A (Exclusive Agricultural District), and are designated "Intensive Agriculture" by the *Standish-Litchfield Area Plan, 1986*. Assessors' Parcel 119-280-014 (which again is a part of an underlying legal parcel with APN 119-270-019) is currently zoned A-2-B-20 (Agricultural Residential, 20-acre Building Site Combining District) and has a land use designation of "Agricultural/Residential", per the *Standish-Litchfield Area Plan, 1986*.

6. The minimum size required for parcels within E-A zoning districts is 100 acres. Parcels in the A-2-B-20 zoning district must average 20 acres.
7. The proposal would adjust the current legal parcel configuration and establish a 235-acre legal parcel (proposed Parcel B), zoned E-A, with a land use designation of Intensive Agriculture; and a 40-acre legal parcel (proposed Parcel A) zoned A-2-B-20, with a land use designation of Agricultural/Residential.
8. 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, and in fact increases zoning consistency by removing split zoning of current Parcel A.
9. The Department of Planning and Building Services finds that the proposed lot line adjustment is consistent with the *Standish-Litchfield Area Plan, 1986*, and in fact increases land use consistency by separating off the portion of land designated "Agricultural Residential" from lands designated as "Intensive Agriculture".
10. According to the applicants, current Parcel B is unimproved, and Parcel A is developed with a residence and numerous agricultural structures. Both parcels appear to be used solely for agriculture. Proposed Parcel B would retain all improvements of the property.
11. 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."
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 Planning Division of the Lassen County Department of Planning and Building Services recommends the following conditions be placed on the project if approved:

None.

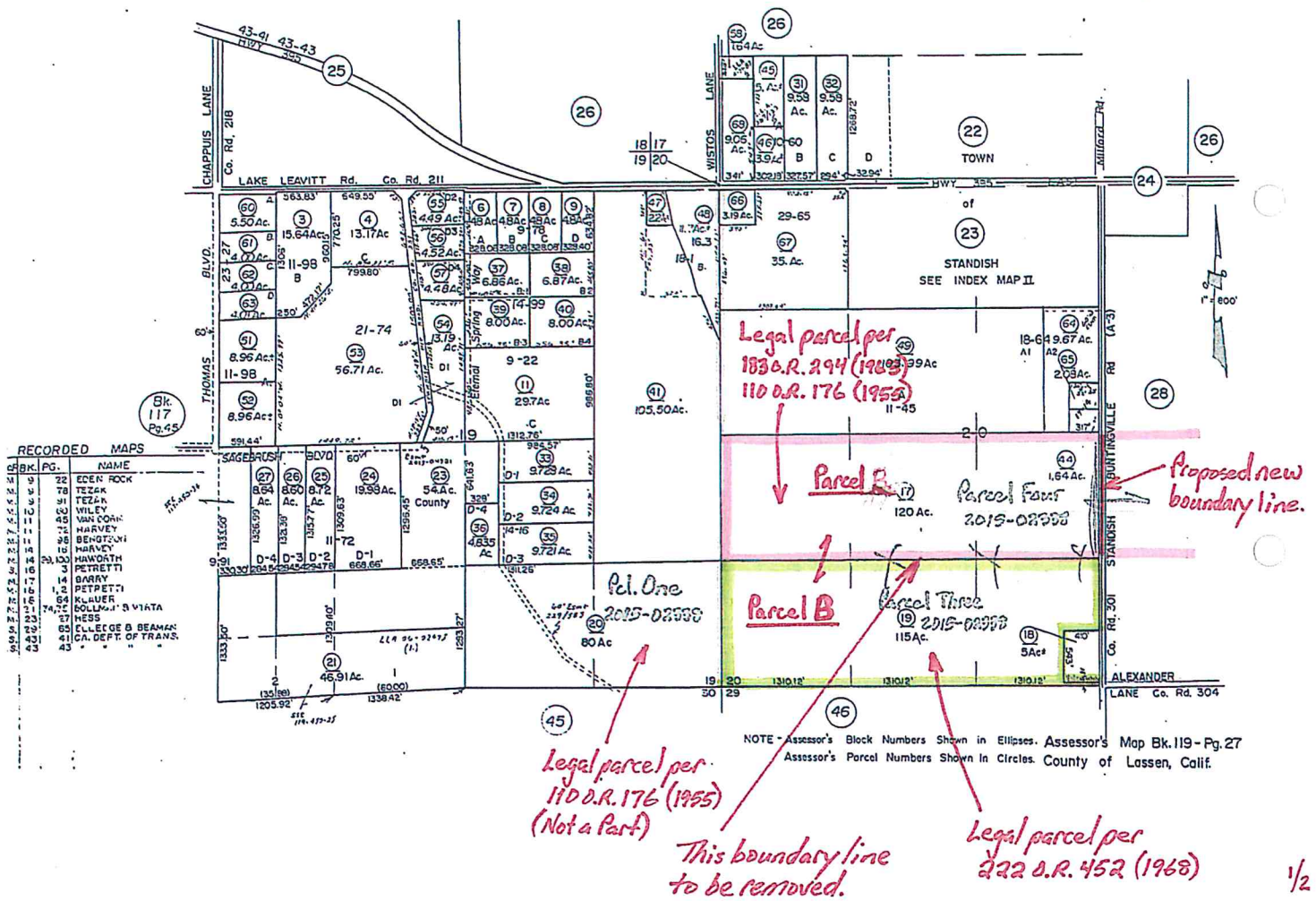
MLA:mcrn

Tentative L.L.A. Map

ALL SEC. 19., POR. SEC. 20, T. 29 N. R. 14 E. M.D.M.

TRA 077002

119-27



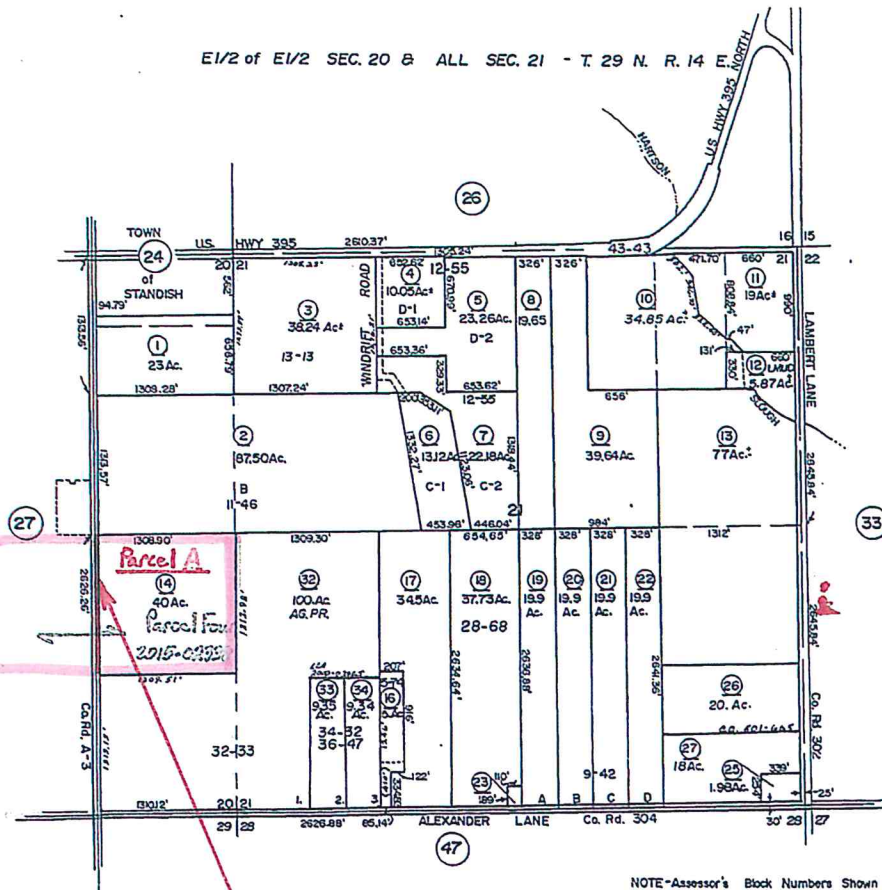
Tentative L.L.A. Map

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

E1/2 of E1/2 SEC. 20 & ALL SEC. 21 - T. 29 N. R. 14 E

TRA-077002

119-28



RECORDED MAPS		
MAP	BK.	PG. NAME
R.S.	5	74 RIGSBEE
R.M.	9	42 FETTERS
R.M.	11	40 VAN DORP
R.M.	12	55 JOY
R.S.	13	13 WARE
R.S.	28	68 HARDIN
R.S.	32	33 HERSHBERGER
P.M.	34	32 HERSHBERGER
R.S.	36	47 HERSHBERGER et al
R.S.	43	43 CA. DEPT. OF TRANSPORTATION

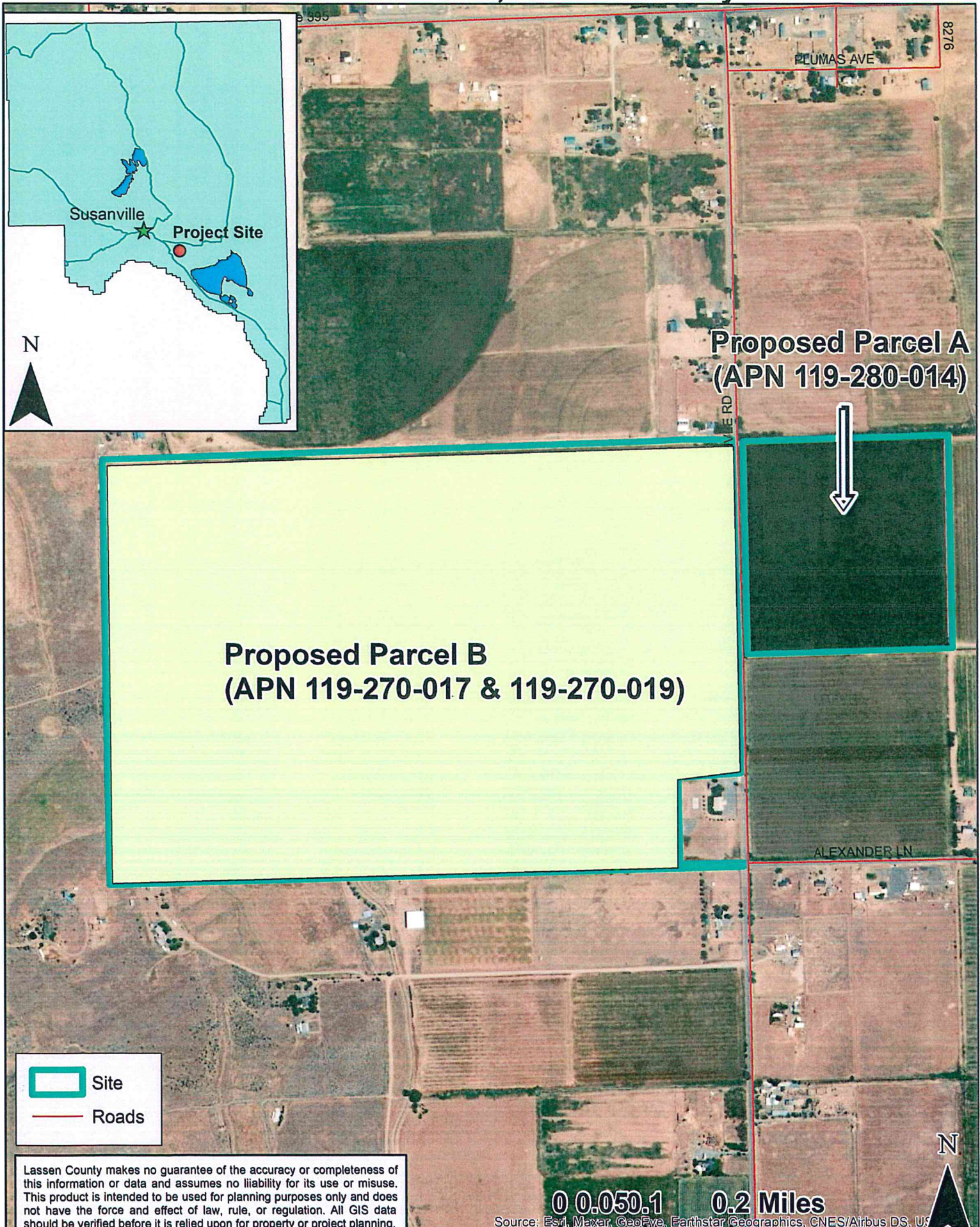
NOTE-Assessor's Block Numbers Shown in Ellipses.
Assessor's Parcel Numbers Shown in Circles.

Assessor's Map Bk. 119-Pg. 28
County of Lassen, Calif.



Proposed new boundary line.

Rezone 2021-002, Lassen County



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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

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. LA 2022-002

Property Owner/s	Property Owner/s
Name: <u>Wilmer + Naomi Martin</u>	Name: <u>Messert Forms LLC</u>
Mailing Address: <u>721-425 Capezzoli Ln</u>	Mailing Address:
City, ST, Zip: <u>Stanish CA 96128</u>	City, ST, Zip:
Telephone: <u>530 260 1438</u> Fax: <u>530-254-6503</u>	Telephone: Fax:
Email: <u>martinfarm@mcsmail.org</u>	Email:

Applicant/Authorized Representative*	Agent (Land Surveyor/Engineer/Consultant)
Same as above: <input 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:	General Plan Designation:		
Parcel Size (acreage):	Section:	Township:	Range:

Assessor's Parcel Number(s): <u>A</u>	<u>119 - 280 - 032</u>	<u>119 - 280 - 014</u>	-
<u>B</u>	<u>119 - 270 - 017</u>	<u>119 - 270 - 019</u>	-

Parcel	Size before adjustment (sq. ft. or acres)	Size after adjustment (sq. ft. or acres)
A	<u>100 acres 115 A</u>	<u>140 acres</u>
B	<u>355 acres 160 B</u>	<u>315 acres</u>
C		
D	<u>115 + 120 + 40 = 235</u>	<u>235 acres + 40 acres</u>

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>Naomi Martin</u> Date: <u>3-11-22</u>	<u>RECEIVED</u> Date: <u>MAR 15 2022</u>
<u>Naomi Martin</u> Date: <u>3-11-22</u>	

See associated process form for required attachments and instructions. LASSEN COUNTY DEPARTMENT OF PLANNING AND BUILDING SERVICES

MR Donald Eagle

March 18,2022

Neighbor Rudy Messerli is in the process of purchasing the 40 acre parcel east of A 3 Highway from Wilmer Martin. The Parcel is ASMT #119-280-014.

Lassen County has requested that the Martins to inform MR Eagle and have his written permission to proceed with this transaction in consideration of MR Eagles living estate connected with the property

Wilmer Martin

Donald Eagle

3-18-22

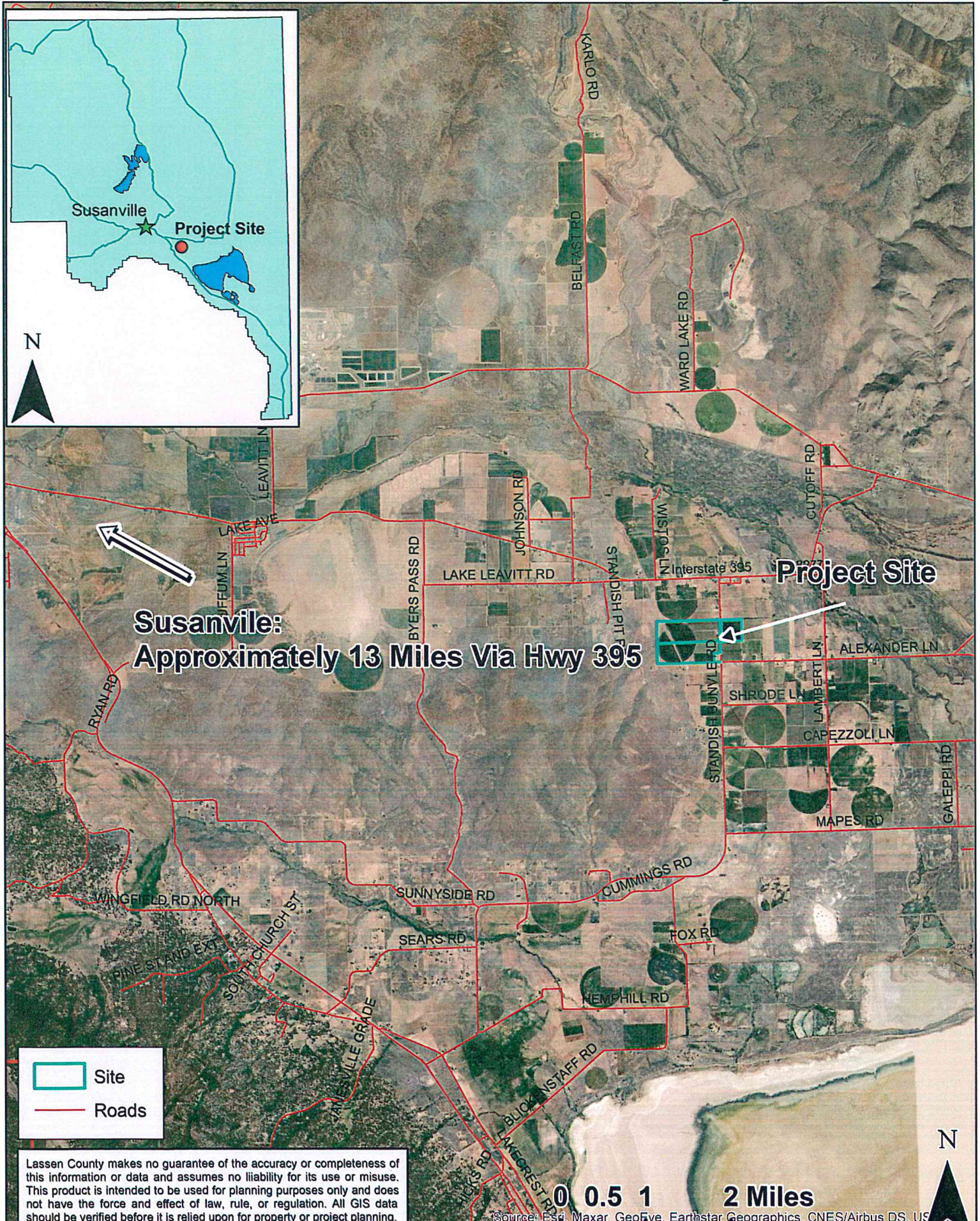
3-18-22

RECEIVED

MAR 18 2022

LASSEN COUNTY DEPARTMENT OF
PLANNING AND BUILDING SERVICES

Rezone 2021-002, Lassen County





County of Lassen

Department of Planning and Building Services

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

March 22, 2022

 **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: April 7, 2022

FROM: Don Willis, Lassen County Surveyor

RE: Lot Line Adjustment No. 2022-002 – Wilmer and Naomi Martin.
Assessor's Parcel Numbers: 119-270-017, 119-270-019 and
119-280-014.

Zoning & Building

Inspection Requests

Phone: 530 257-5263

Environmental Health

Messages: 530 251-8528

email: EHE@co.lassen.ca.us

LASSEN COUNTY SURVEYOR FINDS AS FOLLOWS:

1. The application and tentative map submitted for Lot Line Adjustment No. 2022-002 show two parcels involved in the proposed boundary line adjustment. These parcels are represented by Assessor's Parcel Numbers 119-270-017, 119-270-019 and 119-280-014. The subject lands are located within a portion of Section 20, Township 29 North, Range 14 East, Mount Diablo Base and Meridian, in Lassen County, California.
2. Title to the subject lands is currently vested in Wilmer Martin and Naomi F. Martin, husband and wife as joint tenants, per a Grant Deed that was recorded on May 29, 2015 as Document No. 2015-02338 of the Official Records of Lassen County. The legal description within this document describes four separate parcels, with one "parcel" being an easement. Parcels Three and Four are the subject parcels involved in the current adjustment proposal. Parcel One of the vesting deed is its own separate legal parcel and is not a part of the current proposal. This document also reserves a life estate in and to Parcel Four to the grantors, Donald L. Eagle and Virginia K. Eagle, husband and wife. Mr. Eagle has provided written consent to this department consenting to the proposed boundary line adjustment.
3. Parcel Three of the vesting deed (said Doc. No. 2015-02338) is described as the South one-half of the Southwest one-quarter (S1/2 SW1/4) and the Southwest one-quarter of the Southeast one-quarter (SW1/4 SE1/4) of Section 20, Township 29 North, Range 14 East, Mount Diablo Base and Meridian, *excepting therefrom* the North 543 feet of the South 557 feet of the East 410 feet of the Southwest one-quarter of the Southeast one-quarter. Note that the exception parcel contains a typographical error in the very last call of the exception. This call is shown as the "SW1/4" and should properly be shown as the "SE1/4." This parcel is represented by Assessor's Parcel Number 119-270-018 and is not a part of the current adjustment proposal. The lands described by said Parcel Three are represented by Assessor's Parcel Number 119-270-019.
4. Parcel Four of the vesting deed is described as the North one-half of the South one-half (N1/2 S1/2) of said Section 20. The lands described by this parcel are represented by Assessor's Parcel Numbers 119-270-017 and 119-280-014.
5. The underlying legal parcel for the lands represented by Assessor's Parcel Number 119-270-019 (Parcel Three of the vesting deed) was traced back to a Grant Deed that was recorded on July 1, 1968

in Book 222, Page 452, of the Official Records of Lassen County. The legal description within this document agrees with those lands described within the vesting deed. Therefore, this parcel is in compliance with the provisions of the Subdivision Map Act and local ordinances since it existed in its current configuration prior to March 4, 1972 and did not result from a division of land in which five or more parcels were created.

6. The underlying legal parcel for the lands represented by Assessor's Parcel Numbers 119-270-017 and 119-280-014 (Parcel Four of the vesting deed) was separately conveyed by a Grant Deed recorded on September 27, 1963 in Book 183, Page 294, of the Official Records of Lassen County. This parcel had previously been combined with the South one-half of the Southeast one-quarter (S1/2 SE1/4) of adjoining Section 19 (Assessor's Parcel Number 119-270-020) per a Joint Tenancy Grant Deed recorded on April 21, 1955 in Book 110, Page 176, of the Official Records of Lassen County. The conveyance in 1963 served to separate the lands described in said Book 110 at Page 176 and would have been allowable as the deeds were recorded before March 4, 1972, which is the date after which parcel maps were required to be filed for divisions of land for fewer than four parcels. Based on the above, this parcel is in compliance with the provisions of the Subdivision Map Act and local ordinances since it existed in its current configuration prior to March 4, 1972 and did not result from a division of land in which five or more parcels were created.
7. The tentative map submitted for Lot Line Adjustment No. 2022-002 shows that the current parcel boundary line common to Assessor's Parcel Numbers 119-270-017 and 119-270-019 is to be removed and is to be relocated to the easterly line of said Assessor's Parcel Number 119-270-017. This will cause the east line of the Northwest one-quarter of the Southeast one-quarter (NW1/4 SE1/4) of said Section 20 to be a new boundary line and would allow those lands lying easterly of Standish Buntingville Road (currently represented by Assessor's Parcel Number 119-280-014) to be a stand-alone legal parcel that could be separately conveyed if the proposed adjustment were approved.
8. The existing size of the legal parcel represented by Assessor's Parcel Numbers 119-270-017 and 119-280-014 is 160 acres. The existing size of the legal parcel represented by Assessor's Parcel Number 119-270-019 is currently 115 acres, which results in a total acreage of 275 acres. Resultant Parcel A, as shown on the tentative map submitted for Lot Line Adjustment No. 2022-002, would be a 40 acre parcel if the proposed adjustment were approved. Resultant Parcel B, as shown on said tentative map, would be 235 acres if the proposed adjustment were approved.
9. Access to the subject parcels is provided by Standish Buntingville Road, County Road No. 301, which is in the County maintained road system. Access to the resultant parcels would remain the same if the proposed adjustment were approved.
10. 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.
11. 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. 2022-002 (WILMER AND NAOMI MARTIN):

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. 2022-002, which are represented by Assessor's Parcel Numbers 119-270-017, 119-270-019 and 119-280-014.
2. The adjustment of the boundary lines shall be completed as shown on the tentative map submitted for Lot Line Adjustment No. 2022-002.
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, 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. 2022-002 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. 2022-002, 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. 2022-002, 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.

Technical Advisory Committee

Agenda Date: April 7, 2022

Lassen County Surveyor's Findings and Conditions

Page 4 of 4

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