

GLENN COUNTY Planning & Community Development Services Agency

225 North Tehama Street
Willows, CA 95988
530.934.6540
www.countyofglenn.net



Donald Rust, Director

INSTRUCTIONS FOR FILING APPLICATION FOR LOT LINE ADJUSTMENT (WILLIAMSON ACT)

Applicants are encouraged to consult with Planning Division staff prior to filing an application.

A Lot Line Adjustment may be approved as provided in Section 66412(d) of the Subdivision Map Act and as provided in Chapter 15.140 of the Glenn County Code.

This application form is to be used only for all lot line adjustments involving land under a Williamson Act or Farmland Security Zone contract or contracts in which the exterior boundary of the contract or contracts is adjusted. Lands under contract are located within the “AP” zone or “FS” zone.

If a lot line adjustment involves land that is restricted by a Williamson Act or Farmland Security Zone contract or contracts, the proposed lot line adjustment must not conflict with the restrictions of the contract or contracts. In accordance with Government Code Section 51257, the parties of a contract or contracts may mutually agree to rescind the existing contract or contracts and simultaneously enter into a new contract or contracts. The existing contract or contracts are required to be rescinded and replaced in order to reflect a revised property description. The Board of Supervisors is required to make seven findings in order to approve the rescission and replacement of the contract(s).

This application form is not required if the lot line adjustment would not change an exterior boundary of a contract and if an owner chooses not to rescind and replace the original contract with separate contracts on the adjusted parcels.

Upon receiving tentative approval of the lot line adjustment, the applicant(s) will be sent an information packet which will describe the process for recording the documents for the lot line adjustment and new Williamson Act or Farmland Security Zone contracts. Copies of the new contracts will be submitted with this packet. The contracts will be required to be signed by all property owners and all signatures are required to be notarized. Upon approval of all documents, they will all be recorded simultaneously in the office of County Recorder.

It is the request of the Board of Supervisors that each property owner thoroughly acquaint themselves with all the advantages and disadvantages that may result from entering into a new Williamson Act or Farmland Security Zone contract. By rescinding a current contract and entering into a new contract, the contract holder will be required to comply with current rules and regulations regarding Williamson Act and Farmland Security Zone contracts (i.e. minimum parcel size and other zoning regulations).

The following list is intended to meet the requirements of State of California Government Code Section 65940.

APPLICATION CHECKLIST:

1. The applicant shall pay the required application fee. The total application fee is a combination of the Lot Line Adjustment and Williamson Act contract application fees. Fees are accepted by check, cash, or credit card. Checks should be made payable to Glenn County. The current application fee is as listed in the Glenn County Master Fee schedule.

The filing fee is for a lot line adjustment between a total of two (2) parcels. An additional charge as listed in the Glenn County Master Fee schedule will be added for **EACH** additional parcel for up to four (4) parcels.

2. The application form shall be properly filled out and signed by the applicants and ALL property owners. All property owners shall sign (husband and wife) or a Power-of-Attorney shall be submitted specifically authorizing a designated person to sign the application. If the property owner is a corporation, a Resolution from the corporation authorizing this application shall be submitted. The Resolution shall indicate an individual or individuals who are authorized to sign the application on behalf of the corporation.
3. Preliminary Title Reports (issued within 90 days) and Current Deeds. The Title Reports and current deeds must include all lands that are under contracts.
4. Copies of recorded Williamson Act or Farmland Security Zone contracts for the properties involved in the lot line adjustment shall be submitted.
5. Legal descriptions of the adjusted parcels. The legal descriptions shall be prepared, signed, and “wet stamped” by a licensed land surveyor or civil engineer. All legal descriptions will be checked by the Glenn County Engineering & Surveying Division. It is optional to submit the legal description with the application. The legal descriptions will be required to record the Notices of Voluntary Merger and Certificate(s) of Compliance. Legal descriptions will also be required which describe the resultant land under the new Williamson Act or Farmland Security Zone contracts.

6. Evidence of prepayment of property taxes as required by Section 66412(d) of the Subdivision Map Act will be required prior to recording the Certificate(s) of Compliance.
7. A separate project description shall be submitted which describes the project and supplies evidence that the project will meet the findings under Government Code Section 51257 (See Attached Example). Evidence shall be provided that the lot line adjustment is being done solely for agricultural purposes, and that any other resulting purpose or use of the land is strictly incidental to the agricultural uses of the property.
8. One copy of the current County Assessor's Map with the property of the proposed Lot Line Adjustment delineated on the map shall be submitted with the application. One copy of the current County Assessor's Map shall also be submitted which shows the property of the existing contracts to be rescinded and replaced.

9. **LOT LINE ADJUSTMENT MAP REQUIREMENTS:**

Three (3) copies of a clear and legible map shall be submitted with the application. Additional copies of the map shall be submitted to the County upon request. The map shall be prepared by a licensed land surveyor or a registered civil engineer. The map shall be at least 8.5 inches by 11 inches. It shall be large enough to show all information clearly and shall be drawn using an engineer's scale. A legible and reproducible reduction of the map is also required if presented on sheets larger than 11 inches by 17 inches. The map shall contain the following information unless it doesn't apply to the specific project or project location:

- (a) Name, mailing address, and phone number of applicant(s).
- (b) Name, mailing address, and phone number of property owner(s) and a statement of their consent to the preparation of the map.
- (c) Name, mailing address, and phone number of engineer/surveyor who prepared the map and the date of preparation.
- (d) Current Glenn County Assessor's Parcel Number(s). The map should also include the legal and/or other sufficient description of the property to be adjusted to define the location and boundaries of the proposed lot line adjustment. Also include any source or map from which data were extracted to produce the map.
- (e) North arrow and scale. The map shall be drawn so that north faces the top of the page and shall be drawn to a scale. The scale of the map shall be indicated (i.e. graphic bar scale, verbal scale, representative fraction).

- (f) Layout, dimensions, and acreage of each existing parcel and each parcel after adjustment. Parcels less than one acre in area may be noted in square feet. The existing lot line(s) to be removed and the proposed new lot line(s) shall be distinctly drawn and clearly labeled. Each parcel shall be identified by number, letter, or other appropriate designation.
- (g) Locations of all existing buildings and structures including their dimensions and distances to all existing and proposed property lines (setbacks). All buildings and structures shall be labeled according to their type of use. Any existing buildings or structures proposed to be removed shall be identified.
- (h) Names, locations, and dimensions of all existing and proposed adjoining/adjacent streets or roads, width of road right-of-ways, and location of center of roads. Also show the locations of any possible future street continuations.
- (i) The widths, location, and purpose of all existing and proposed easements on-site and show or describe off-site access easements serving the project.
- (j) Existing walls and fences including location, height, and construction material.
- (k) Locations and dimensions of all existing utilities including pipelines, sewer lines, irrigation and drainage facilities, fire hydrants within 300 feet of the project site, water wells, septic tanks and drain (leach) fields. Include a list of all firms and/or public districts supplying utility services. Sewage disposal and water supply shall comply with the Health standards (Chapter 15.660 & 15.670 of the Glenn County Code).
- (l) Locations of all watercourses including FEMA 100-year floodplain, reservoirs, rivers, creeks, ponds, and irrigation canals. Also illustrate mature trees, rock outcroppings, and similar natural features.
- (m) A small inset map indicating the location of the land in relation to the nearest major roads and/or significant features in the surrounding area or region.
- (n) Identify any other information on the map which may be pertinent to the specific project or site.

According to Section 65943 of the California Government Code, your application shall be reviewed by the County within 30 days from the filing date to determine the completeness of the application. You shall receive written notice if the application is determined to be incomplete. Please note that acceptance of the application as complete is not an indication of approval.

If the application is deemed incomplete for further processing, the applicant may appeal this decision to the Planning Commission by filing a Notice of Appeal with the Planning & Community Development Services Agency within ten (10) days from the date of the written notice (Glenn County Code §15.050.040). The Notice of Appeal shall be submitted in writing and accompanied by appeal fee as listed in the Glenn County Master Fee Schedule.

The Planning & Community Development Services Agency or any other reviewing agency may, in the course of processing the application, request the applicant to clarify, amplify, correct, or otherwise supplement the information required for the application. According to Section 65944(C), additional information may be requested in order to comply with Divisions 13 of the State of California Public Resources Code.

Date Submitted: _____

**GLENN COUNTY
PLANNING AND COMMUNITY
DEVELOPMENT SERVICES AGENCY**
225 North Tehama Street
Willows, CA 95988
(530) 934-6540
planning@countyofglenn.net

APPLICATION FOR LOT LINE ADJUSTMENT
(WILLIAMSON ACT)

NOTE: FAILURE TO ANSWER APPLICABLE QUESTIONS AND
REQUIRED ATTACHMENTS COULD DELAY THE
PROCESSING OF YOUR APPLICATION.

1. Applicant(s):

Name: _____

Address: _____

Phone: _____ E-Mail _____

2. Property Owner(s) #1:

Name: _____

Address: _____

Phone: _____ E-Mail _____

3. Property Owner(s) #2:

Name: _____

Address: _____

Phone: _____ E-Mail _____

4. Engineer/Surveyor:

Name: _____

Address: _____

Phone: _____ E-Mail _____

5. Name and address of property owner's duly authorized agent (if applicable) who is to be furnished with notice of hearing (Section 65091 California Government Code).

Name: _____

Mailing Address: _____

6. Address and Location of Project: _____

7. Current Assessor's Parcel Number(s):

Parcel One: _____ Parcel Two: _____

Other: _____

8. Existing Zoning <http://gis.gcppwa.net/zoning/>

Parcel One: _____ Parcel Two: _____

Other: _____

9. Existing Use of Property:

Parcel One: _____ Parcel Two: _____

Other: _____

10. Proposed Use of Property:

Parcel One: _____ Parcel Two: _____

Other: _____

11. Size for Each Adjusted Lot:

Parcel One: _____ Parcel Two: _____

Other: _____

12. Why are the lots being adjusted?

13. Surrounding Land Use:

North: _____

East: _____

South: _____

West: _____

14. Acreage in non-farm uses (roads, ditches, dwelling site:

Parcel One: _____ Parcel Two: _____

Other: _____

15. Number of dwelling units:

Parcel One: _____ Parcel Two: _____

Other: _____

16. Williamson Act Contract Number:

Parcel One: _____ Parcel Two: _____

Other: _____

16. Provide any additional information that may be helpful in evaluating this proposal:

DECLARATION UNDER PENALTY OF PERJURY

(Must be signed by Applicant(s) and Property Owner(s))
(Additional sheets may be necessary)

The Applicant(s) and/or Property Owner(s), by signing this application, shall be deemed to have agreed to defend, indemnify, release and hold harmless the County, its agents, officers, attorneys, employees, boards and commissions from any claim, action or proceeding brought against the foregoing individuals or entities, the purpose of which is to attack, set aside, void or null the approval of this development entitlement or approval or certification of the environmental document which accompanies it, or to obtain damages relating to such action(s). This indemnification agreement shall include, but not be limited to, damages, costs expenses, attorney fees or expert witness fees that may be asserted by any person or entity, including the applicant, arising out of or in connection with the approval of the entitlement whether or not there is concurrent passive or active negligence on the part of the County.

Applicant(s):

Signed: _____

Print: _____

Date: _____

Address: _____

Surveyor:

Signed: _____

Print: _____

Date: _____

Address: _____

DECLARATION UNDER PENALTY OF PERJURY

(Must be signed by Applicant(s) and Property Owner(s))
(Additional sheets may be necessary)

The Applicant(s) and/or Property Owner(s), by signing this application, shall be deemed to have agreed to defend, indemnify, release and hold harmless the County, its agents, officers, attorneys, employees, boards and commissions from any claim, action or proceeding brought against the foregoing individuals or entities, the purpose of which is to attack, set aside, void or null the approval of this development entitlement or approval or certification of the environmental document which accompanies it, or to obtain damages relating to such action(s). This indemnification agreement shall include, but not be limited to, damages, costs expenses, attorney fees or expert witness fees that may be asserted by any person or entity, including the applicant, arising out of or in connection with the approval of the entitlement whether or not there is concurrent passive or active negligence on the part of the County.

I am (We are) the owner(s) of property involved in this application and I (We) have completed this application and all other documents required.

I am (We are) the owner(s) of the property involved in this application and I (We) acknowledge the preparation and submission of this application.

I (We) declare under penalty of perjury that the foregoing is true and correct.

Property Owner(s) #1:

Signed: _____

Print: _____

Date: _____

Address: _____

Property Owner(s) #2:

Signed: _____

Print: _____

Date: _____

Address: _____

EXAMPLE
Project Description and Landowner Justification

This project is a lot line adjustment between Owner 1 and Owner 2.

[Describe REASONS FOR LOT LINE ADJUSTMENT HERE] For Example: agricultural financing, irrigation or crop patterns, or other agricultural related reasons.

At the completion of this lot line adjustment, Parcel 1 will have an adjusted area of _____acres, while Parcel 2 will have an adjusted area of _____acres. Both parcels are currently enrolled in the Williamson Act.

Government Code Section 51257 contains seven findings to be made related to lot line adjustments. These findings are each listed below with the justification following in italics.

(1) The new contract or contracts would enforceably restrict the adjusted boundaries of the parcel for an initial term for at least as long as the unexpired term of the rescinded contract or contracts, but for not less than 10 years.

Neither of the contracts are subject to a Notice of Non-Renewal. At the conclusion of the lot line adjustment, both contracts will continue to be in force and effect for a period of at least 10 years.

(2) There is no net decrease in the amount of the acreage restricted. In cases where two parcels involved in a lot line adjustment are both subject to contracts rescinded pursuant to this section, this finding will be satisfied if the aggregate acreage of the land restricted by the new contracts is at least as great as the aggregate acreage restricted by the rescinded contracts.

The land currently under contract is _____acres. After the lot line adjustment, all acres will remain under contract.

(3) At least 90 percent of the land under the former contract or contracts remains under the new contract or contracts.

The amount of land changing hands is less than 4% of the area of the smallest parcel. As such, more than 90% of the land under each of the former contracts will remain within each contract. In addition, as set forth above in finding (2), the entire amount of land included within this lot line adjustment will continue to remain under Williamson Act contract.

**EXAMPLE
(continued)**

(4) After the lot line adjustment, the parcels of land subject to contract will be large enough to sustain their agricultural use, as defined in Section 51222.

Consistent with Section 51222, both parcels will be larger than 40 (or 10) acres both before and after the lot line adjustment. Parcels are presumed to be large enough to sustain their agricultural use if they are greater than 10 acres in size if prime farmland, or greater than 40 acres in the case of non-prime farmland. The subject properties are both identified as (non)prime farmland by the Natural Resource Conservation Service Farmland Mapping Program.

[Note: if no information is available regarding classification of farmland type, crop valuation data or animal carrying capacity information can be used to verify this requirement.]

(5) The lot line adjustment would not compromise the long-term agricultural productivity of the parcel or other agricultural lands subject to a contract or contracts.

Both of these parcels have been used for agricultural productivity in their current configuration for a long time. The new lot configuration, after adjustment, will [Insert purpose for the lot line adjustment here]. The moving of the lot line to add _____ acres to an existing parcel and remove _____ acres from an existing parcel will in no way affect the long term agricultural productivity of either of the parcels.

(6) The lot line adjustment is not likely to result in the removal of adjacent land from agricultural use.

The parcels will continue to remain restricted by contract and used for agricultural productivity. As such, the lot line adjustment will have no impact on adjacent lands currently utilized for agricultural purposes.

(7) The lot line adjustment does not result in a greater number of developable parcels than existed prior to the adjustment, or an adjusted lot that is inconsistent with the general plan.

Two parcels currently exist and two parcels will continue to exist after the lot line adjustment. Neither parcel is currently inconsistent with the Glenn County General Plan or zoning code, nor will the resulting parcels be inconsistent with the Glenn County General Plan or zoning code. (Note: If any parcel sizes are smaller than the zoning or Williamson Act allows, it could be considered inconsistent with the General Plan.)

In conclusion, the lot line adjustment is nothing more than [Insert purpose for lot line adjustment here]. As set forth previously, the properties will continue to be used for agricultural purposes, and this lot line adjustment will in no way affect the agricultural viability of either parcel.