

MEMORANDUM

TO: PLANNING COMMISSION

FROM: TERESA MCCLISH, COMMUNITY DEVELOPMENT DIRECTOR

BY: HALEIGH KING, PLANNING INTERN

**SUBJECT: CONSIDERATION OF LOT LINE ADJUSTMENT NO. 15-001;
LOCATION – 165 AND 169 PINE STREET; APPLICANT –
RONALD GLAHN; REPRESENTATIVE – TRICIA KNIGHT**

DATE: APRIL 7, 2015

RECOMMENDATION:

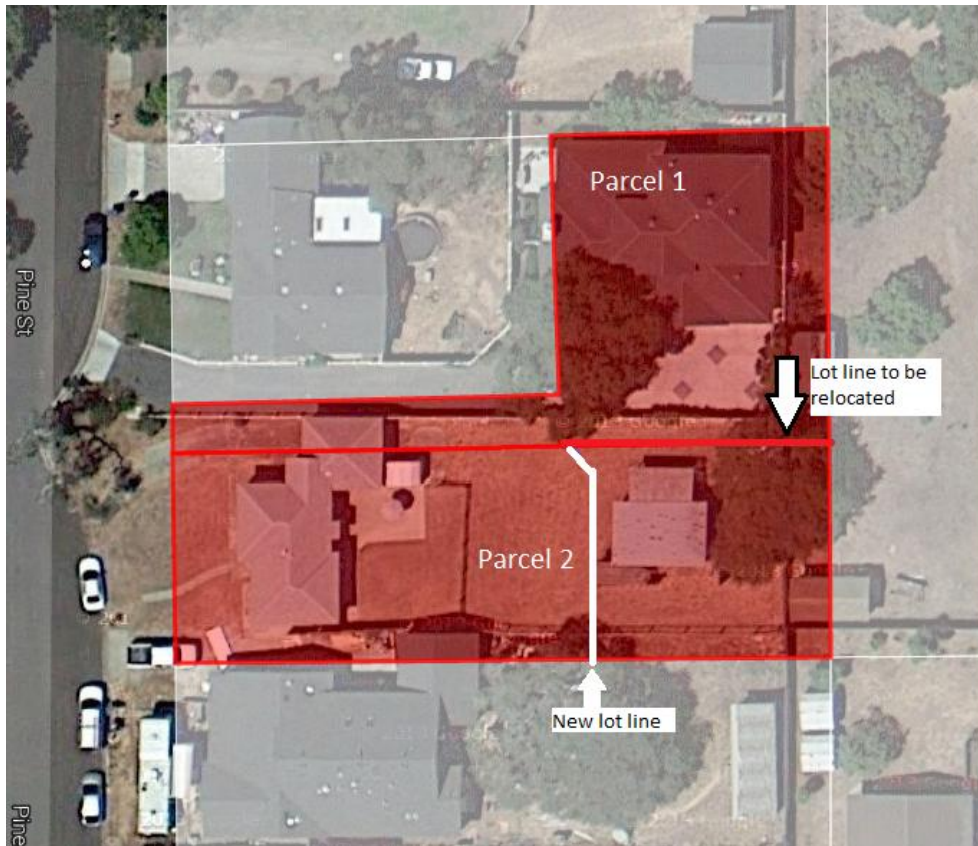
It is recommended that the Planning Commission adopt a Resolution approving Lot Line Adjustment 15-001.

IMPACT ON FINANCIAL AND PERSONNEL RESOURCES:

None.

LOCATION:





BACKGROUND:

The applicant and current owners of Parcel 1 have submitted an application for a lot line adjustment between (2) parcels in the Single Family (SF) zoning district. The proposed lot line adjustment would eliminate the eastern 68 feet of the interior side lot line between the two properties and relocate the lot line to the rear of Parcel 2, transferring approximately 3,560 square feet from Parcel 2 (APN 077-172-004) to Parcel 1 (APN 077-172-022).

ANALYSIS OF ISSUES:

The proposed lot line adjustment would not result in either lot becoming non-conforming; both lots would still meet minimum requirements for lot size (7,200 square feet), and depth (100'). The proposed lot line adjustment would provide the applicant with additional parking and turnaround space on Parcel 1. The existing fence along the existing lot line to be relocated would be moved to the new lot line. The existing side setbacks for Parcel 2 do not meet the current zoning development standards; however, this legally nonconforming situation will not be made worse with the lot line adjustment. The proposed changes to the lot line maintain zoning development standards for existing structures that may be affected, specifically the storage structure at the rear of Parcel 2.

ALTERNATIVES:

The following alternatives are provided for the Commission's consideration:

- Adopt the attached Resolution approving Lot Line Adjustment 15-001; or
- Modify and adopt the attached Resolution approving Lot Line Adjustment 15-001; or
- Do not adopt the attached Resolution and direct staff to return with a revised Resolution with supporting findings to deny Lot Line Adjustment 15-001; or
- Provide direction to staff.

ADVANTAGES:

Approving the lot line adjustment would provide easier vehicle access and turnaround space to the applicant and property owner at 165 Pine Street.

DISADVANTAGES:

Staff has not identified any disadvantages in approving the requested lot line adjustment.

ENVIRONMENTAL REVIEW:

Staff has reviewed the proposed project in compliance with the California Environmental Quality Act (CEQA) Guidelines and has determined that the proposed project is categorically exempt per Section 15305(a) of the Guidelines regarding minor lot line adjustments. If the Planning Commission does not agree that this determination is appropriate, project approval cannot be considered at this time.

PUBLIC NOTICE AND COMMENT:

Per Municipal Code Table 16.12.030-B, public hearings are not required for lot line adjustments.

The agenda and staff report were posted at City Hall and on the City's website on April 3, 2015.

ATTACHMENTS:

1. Project plans

RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ARROYO GRANDE APPROVING LOT LINE ADJUSTMENT 15-001; LOCATED AT 165 (APN 077-172- 022) AND 169 (APN 077-172-004) PINE STREET; APPLIED FOR BY RONALD GLAHN

WHEREAS, the applicant has applied for a lot line adjustment to move the last 68 feet of the existing interior side lot line to the rear of 169 Pine Street, transferring approximately 3,560 square feet from 165 Pine (APN 077-172-022) to 169 Pine (APN 077-172-004).

WHEREAS, Municipal Code Table 16.12.050 (B) requires that lot line adjustments be reviewed by the Planning Commission; and

WHEREAS, the Planning Commission reviewed the project at its meeting on April 7, 2015; and

WHEREAS, the Planning Commission has found that this project is consistent with the City's General Plan and Development Code; and

WHEREAS, the Planning Commission has reviewed this project in compliance with the California Environmental Quality Act (CEQA), the State CEQA Guidelines, and the Arroyo Grande Rules and Procedures for Implementation of CEQA and has determined that the project is categorically exempt per Section 15305 of the Guidelines; and

WHEREAS, the Planning Commission finds, after due study and deliberation, the proposed lot line adjustment does not:

1. Create any new lots;
2. Include any lots or parcels created illegally;
3. Impair any existing access or create a need for access to any adjacent lots or parcels;
4. Impair any existing easements or create a need for any new easements serving adjacent lots or parcels;
5. Constitute poor land planning or undesirable lot configurations due to existing environmental conditions or current zoning development standards;
6. Require substantial alteration of any existing improvements or create a need for any new improvements;

7. Create a nonconforming lot in the development district in which it exists, except as allowed in Section 16.48.110 of this title.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Arroyo Grande hereby approves Lot Line Adjustment 15-001, with the above findings and subject to the conditions as set forth in Exhibit "A", attached hereto and incorporated herein by this reference and as presented to the Planning Commission on April 7, 2015 and shown in Exhibit "B", attached hereto and incorporated herein by this reference as though set forth in full.

On a motion by Commissioner _____, seconded by Commissioner _____ and by the following roll call vote to wit:

AYES:

NOES:

ABSENT:

the foregoing Resolution was adopted this 7th day of April 2015.

ATTEST:

DEBBIE WEICHINGER
COMMISSION CLERK

LAN GEORGE
CHAIR

AS TO CONTENT:

TERESA MCCLISH, AICP
COMMUNITY DEVELOPMENT DIRECTOR

EXHIBIT "A"
CONDITIONS OF APPROVAL
LOT LINE ADJUSTMENT 15-001
165 AND 169 PINE STREET

This approval authorizes an adjustment of the lot line between the properties located at 165 and 169 Pine Street.

GENERAL CONDITIONS

1. The applicant shall ascertain and comply with all Federal, State, County and City requirements as are applicable to this project.
2. The applicant shall comply with all conditions of approval for Lot Line Adjustment 15-001.
3. Development shall occur in substantial conformance with the plans presented to the Planning Commission at their meeting on April 7, 2015 and marked Exhibit "B".
4. This approval shall automatically expire on April 7, 2017 unless the lot line adjustment is recorded or an extension is granted pursuant to Section 16.12.140 of the Development Code.
5. Future development shall conform to the applicable zoning district requirements except as otherwise approved.
6. The applicant agrees to indemnify, defend, and hold harmless at his/her sole expense any action brought against the City, its present or former agents, officers, or employees because of the issuance of this approval, or in any way relating to the implementation thereof, or in the alternative, to relinquish such approval. The applicant shall reimburse the City, its agents, officers, or employees, for any court costs and attorney's fees which the City, its agents, officers or employees may be required by a court to pay as a result of such action. The City may, at its sole discretion, participate at its own expense in the defense of any such action but such participation shall not relieve applicant of his/her obligations.

ENGINEERING DIVISION CONDITIONS:

6. The applicant shall submit all information required by Municipal Code Section 16.20.140.
7. The applicant shall pay processing and plan check fees at the time they are due.
8. The applicant shall have a licensed land surveyor in the State of California prepare the Certificate of Compliance for the Lot Line Adjustment.
9. The Lot Line Adjustment shall be finalized by recording Certificates of Compliance or a Lot Line Adjustment Map, and by subsequent deed transfers.

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10. A current preliminary title report shall be submitted to the Community Development Director prior to checking the final documents.
11. The applicant shall furnish a certificate from the tax collector's office indicating that there are no unpaid taxes or special assessments against the property.
12. A Certificate of Compliance for Lot Line Adjustment shall be recorded with all pertinent conditions of approval satisfied prior to issuing a building permit.

LOT LINE ADJUSTMENT MAP AG AL 15-0009

BEING A LOT LINE ADJUSTMENT BETWEEN PARCEL 2 OF PARCEL MAP AS 03-0111 RECORDED IN BOOK 60, PAGE 17 TO 18 AND THE NORTH 60 FEET OF LOT 3 IN BLOCK 7 OF FAIR DAMS TRACT RECORDED IN BOOK 3, PAGE 82 OF MAPS. JANUARY, 2015

LEGAL DESCRIPTION:
PARCEL 1:
 THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE CITY OF ARROYO GRANDE, COUNTY OF SAN LUIS OBISPO, STATE OF CALIFORNIA AND IS DESCRIBED AS FOLLOWS:
 PARCEL 2 OF PARCEL MAP AS 03-0111, IN THE CITY OF ARROYO GRANDE, COUNTY OF SAN LUIS OBISPO, STATE OF CALIFORNIA, ACCORDING TO MAP RECORDED DECEMBER 23, 2003 IN BOOK 83, PAGE 17 TO 18 OF PARCEL MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

PARCEL 2:
 THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE CITY OF ARROYO GRANDE, COUNTY OF SAN LUIS OBISPO, STATE OF CALIFORNIA AND IS DESCRIBED AS FOLLOWS:
 THE NORTH 60 FEET OF LOT 3 IN BLOCK 7 OF FAIR DAMS TRACT IN THE CITY OF ARROYO GRANDE, AS PER MAP RECORDED IN BOOK 3, PAGE 82 OF MAPS IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

COUNTIES:
PARCEL 1:
 RONALD A. GLAVIN TRUSTEE OF THE RONALD A. GLAVIN LIVING TRUST DATED OCTOBER 30, 2008 AND VALERIE LOMBARDI TRUSTEE OF THE VALERIE LOMBARDI LIVING TRUST DATED OCTOBER 30, 2008 AS TENANTS IN COMMON.

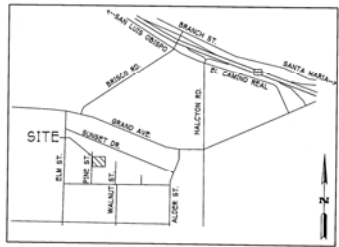
PARCEL 2:
 THE DOROTHY SMITH LIVING TRUST, UTD 2/8/04, DOROTHY SMITH, TRUSTEE
 APR. 077-172-022
PARCEL 2:
 APR. 077-172-004

STATEMENT OF EXPLANATION:
 LOT LINE ADJUSTMENT IS BEING SUBMITTED TO ACCOMMODATE EXISTING PHYSICAL FEATURES OF THE PROPERTIES

PREPARED BY:
 DAVID A. MAINSHELL
 CIVIL ENGINEER
 1815 FLEMING ST.
 SAN LUIS OBISPO, CA 93401
 PHONE: (805) 844-9700
 FAX: (805) 844-4327
 email: dmain@dlgs.com



- LEGEND:**
- (R) REFERENCED PER 3 MR 82
 - (R-1) REFERENCED PER 60 PM 18
 - LOT LINE
 - - - LOT LINE TO BE ELIMINATED
 - PROPOSED LOT LINE
 - - - EXISTING EASEMENT LINE
 - EXISTING LOT PER #
 - EXISTING LOT
 - SSD SANITARY SEWER CLEANOUT
 - EP EDGE OF PAVEMENT
 - FS FINISHED SURFACE
 - FL FLOWLINE
 - GD GROUND ELEVATION



dlgs omni
 ARCHITECTURE
 CIVIL ENGINEERING
 SURVEYING
 711 TAHOE PARKWAY, SUITE 100
 SAN LUIS OBISPO
 CALIFORNIA, 93401
 PHONE: (805) 844-9700
 FAX: (805) 844-4327
 email: dmain@dlgs.com

