

Development Services recommended findings to Board Item 27, February 10, 2009
(From Roger Trout, DSD Director)

OR 07-0004 – Lot Line Adjustment Ordinance. As recommended by the Planning Commission January 8, 2009

FINDINGS FOR ADOPTION

1. The proposed Lot Line Adjustment Ordinance is exempt from the requirements of CEQA pursuant to Section 15601(b.3) of the CEQA Guidelines that states: "A project is exempt from CEQA if the activity is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA." The proposed Ordinance establishes a purpose and procedure for adjusting lot lines that conforms to the Subdivision Map Act Section 66412(d) and its limits on review and approval to compliance with General Plan policies, the Zoning Ordinance, and building codes. As such, the proposed Ordinance will have no significant impact on the environment.
2. The proposed Lot Line Adjustment Ordinance complies with General Plan Policy 2.2.5.12 in that it allows lot line adjustments on existing substandard sized lots and allows for creating a substandard sized lot "when there is a need to better consolidate and manage lands with existing important resources", road or easement restrictions. It also complies with General Plan Policy 10.1.2.2 by adding flexibility in addressing substandard lot sizes, providing dispute resolution through the Boundary Line Agreement process, limiting agency review to that required to insure public health, safety and welfare, and streamlining the process by providing clear direction to staff and the public.

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Submitted by Roger Trout
#27
at Board Hearing of 2/10/09