



**CITY OF LAKEPORT  
COMMUNITY DEVELOPMENT DEPARTMENT**

**STAFF REPORT**

<b>ITEM NO.:</b>	<b>VI. B.</b>
<b>DATE:</b>	<b>April 13, 2016</b>
<b>FILE NO:</b>	<b>LL 16-01</b>
<b>APPLICANT:</b>	<b>George J. Nystrom Ruzicka Associates PO Box 1189 Lakeport, CA 95453</b>
<b>LAND OWNER:</b>	<b>Warren Brackett</b>
<b>STAFF CONTACTS:</b>	<b>Daniel D. Chance, Associate Planner</b>

**PROPOSED ACTION AND LOCATION:** Application for a lot line adjustment to reconfigure a common property line separating two contiguous parcels. The subject properties are located at 1405 South Main Street and 1405 Kimberly Lane, and further described as APNs 005-033-32 and 005-033-91.

**GENERAL PLAN DESIGNATION AND ZONING DISTRICT:** The subject properties are designated Major Retail for both APN 005-033-32 and 005-033-91 according to the City of Lakeport General Plan Land Use Map. The properties are zoned C-2, Major Retail for APN 005-033-32; with C-2 Major Retail and I, Industrial for APN 005-033-91 according to the City Zoning Map. Section 17.10.060 A. of the Lakeport Municipal Code indicates that the minimum allowable lot size for newly created interior lots is 6,500 square feet for corner lots in the C-2 Zoning District. Section 17.13.050 A. indicates that the minimum allowable lot size for newly created in the I District is 12,000 square feet. The proposed size for the property at APN 005-033-32 following the proposed lot line adjustment would be 1.9 acres consistent with the C-2 District. The proposed size for the property at APN 005-033-91 following the proposed lot line adjustment would be 8.4 acres consistent with the I District. The lot line adjustment would relocate the property line of APN 005-033-32 consistent with the current boundary of the C-2 District.

**PROPOSED LOT LINE ADJUSTMENT:** The primary purpose of the proposed lot line adjustment is to reconfigure the parcels to enlarge the property fronting South Main Street. The revised lot line would reflect the existing boundary of the C-2 Zoning District.

Existing improvements on APN 005-033-91 include a storage facility located on the western portion of the parcel, with the area associated with this lot line adjustment currently vacant. APN 005-033-32 is currently vacant.

The proposed lot line adjustment is illustrated on the map prepared by the applicant. The lot line adjustment map identifies the existing site improvements and existing and proposed parcel lines. The parcel sizes (current and post-adjustment) are also noted.

The submitted map indicates that the property line separating the two parcels will be shifted from east to west. The proposed adjustment will convey 1.3 acres of land from APN 005-033-19 to APN 005-033-32. Following the adjustment, APN 005-033-19 will contain 8.4 acres and APN 005-033-32 will be increased to 1.9 acres.

**Staff analysis:** The lot line adjustment proposed by the applicant involves the reconfiguration of two legal parcels. The proposed adjustment will increase the commercial development potential of APN 005-233-32 within the C-2, Major Retail district, while retaining adequate land area for the existing storage facility of APN 005-033-91 within the I, Industrial zoning district.

One of the goals of the City's General Plan is to "encourage the development of vacant and underdeveloped properties through infill development." As previously described, increasing the developable area of APN 005-233-32 along South Main Street will enhance its commercial development potential, providing more area for a commercial building and related parking, access and landscaping.

The lot line as proposed conforms to the Lakeport General Plan, Zoning and Building Ordinances. Said lot line adjustment would include reconfiguration of two legal lots of record. No additional parcels will be created with the adjustment. Notice of the lot line adjustment proposal has been referred to City departments and affected agencies. The County Assessor's office indicated that the proposal will not affect the existing parcel numbers. The City Engineer had no engineering issues. No other comments were received.

**CONCLUSION AND RECOMMENDATION:** Based on the information that has been prepared by the applicant and the responses from City staff, it is concluded that the proposed lot line adjustment is generally in conformance with the lot line adjustment criteria outlined in the City's Subdivision Ordinance. This proposal is considered exempt from the provisions of the California Environmental Quality Act under Section 15305 Class 5 (a) of the CEQA Guidelines.

Staff recommends that the Planning Commission approve the lot line adjustment application subject to the attached conditions.

## **SAMPLE MOTIONS**

### Categorical Exemption Approval

I move that the Planning Commission find that the Lot Line Adjustment application LL 16-01 as applied for by George J. Nystrom, Ruzika Associates and

Warren Brackett, Shoreline Center LTD is categorically exempt from the California Environmental Quality Act pursuant to Section 15305(a) of the CEQA Guidelines.

Lot Line Adjustment Approval

I move that the Planning Commission find that the Lot Line Adjustment application as applied for by George J. Nystrom, Ruzicka Associates and Warren Brackett, Shoreline Center LTD, on property located at 1405 South Main Street and 100 Kimberly Lane does meet the requirements of Section 16.23.040 of the Subdivision Ordinance; the requirements of Section 17.10.060 A and 17.13.050 A of the Zoning Ordinance; consistent with the objectives and policies of the Lakeport General Plan; and grant the approval of LL 16-01, subject to the project conditions of approval and with the findings listed in the April 13, 2016 staff report.

- Attachments:
1. Project Conditions Agreement
  2. Vicinity Map
  3. Lot Line Adjustment Application and Map



CITY OF LAKEPORT  
Community Development Department  
225 Park Street  
Lakeport, Ca 95453

## **PROJECT CONDITIONS AGREEMENT**

Land Use Application File No. LL 16-01

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This Agreement is entered into by **George J. Nystrom, Ruzika Associates and Warren Brackett, Shoreline Center LTD**  
(hereinafter applicant/owner).

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### RECITALS

**WHEREAS**, applicant/owner applied to the City of Lakeport for a lot line adjustment at 1405 South Main St and 100 Kimberly Lane. (APNs 005-033-32 and 005-033-91); and

**WHEREAS**, on April 13, 2016, the City of Lakeport Planning Commission considered and approved the lot line adjustment application subject to the following conditions:

1. The applicant/owner shall provide the City with new legal descriptions / deeds for each of the subject parcels. The legal descriptions / deeds shall be prepared and stamped by a registered land surveyor or civil engineer and shall be reviewed and approved by the City prior to being recorded by the County. The cost for the City's contract surveyor's review of the legal descriptions shall be paid by the applicant/owner.
2. The applicant/owner shall pay the estimated property taxes for the parcels, including advance taxes for the next fiscal year, as required by the County Tax Collector's Office prior to the recordation of the lot line adjustment.
3. The applicant/owner shall obtain consent of lien holders prior to recordation of the lot line adjustment on a form provided by the City of Lakeport.
4. The applicant/owner shall coordinate the reapportionment of each parcel's sewer assessment (Assessment District 91-1) with the City Engineer's office, including the payment of the reapportionment fee, prior to the recordation of the lot line adjustment.

**NOW, THEREFORE, IT IS AGREED:**

1. That the applicant/owner has read and agrees to each and every item and condition herein.
2. That the development and use of the real property described herein shall conform to the conditions listed above and all City of Lakeport Ordinances and Resolutions where applicable.
3. That said conditions shall be binding on all owners or persons having or acquiring any right, title, or interest in said real property, or any part thereof, subject to this agreement.

Dated: \_\_\_\_\_

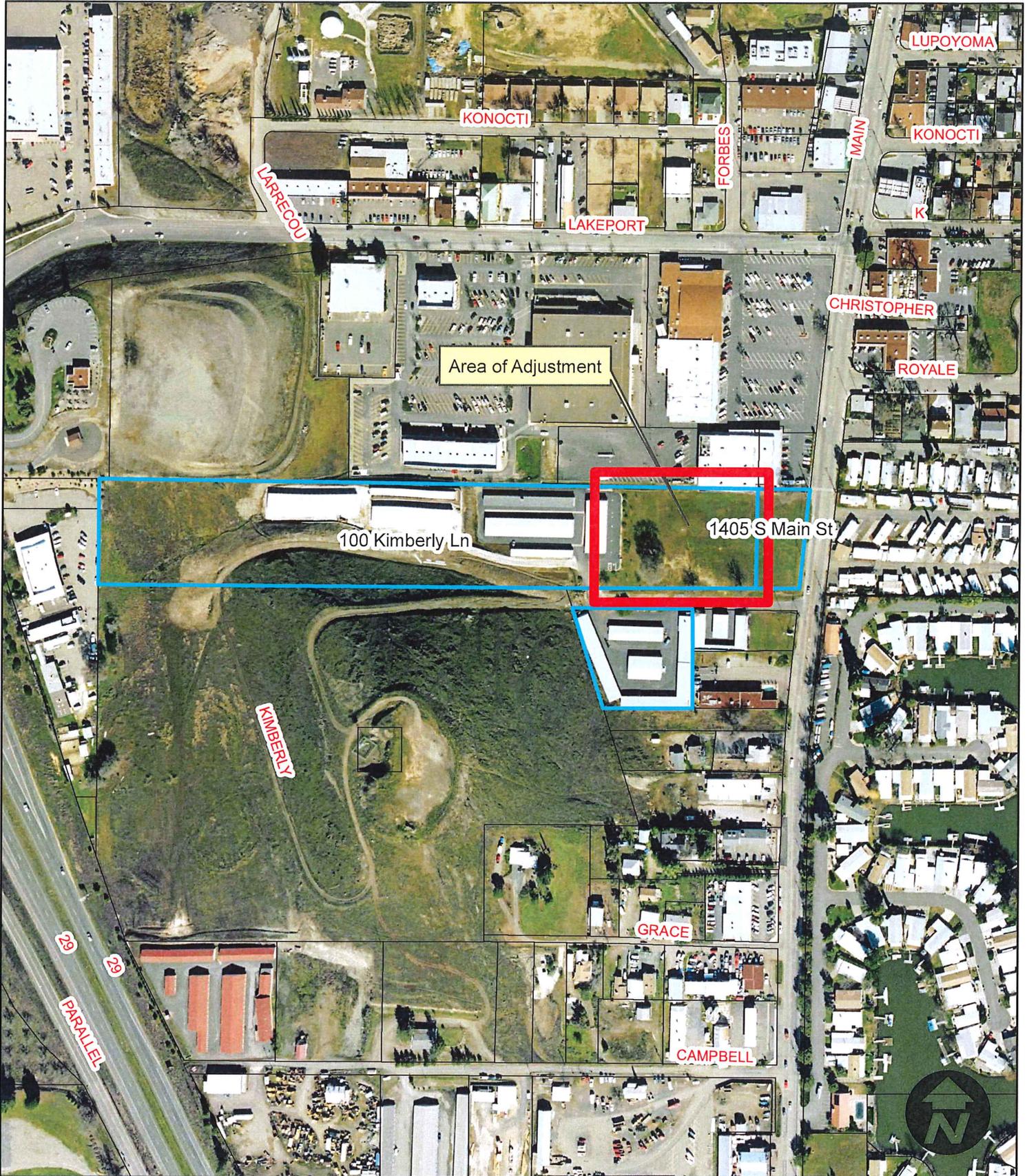
**APPLICANT/OWNER**

\_\_\_\_\_  
GEORGE J. NYSTROM

\_\_\_\_\_  
PLEASE PRINT NAME

\_\_\_\_\_  
WARREN BRACKETT

\_\_\_\_\_  
PLEASE PRINT NAME



Projected coordinate system name: NAD 1983 State Plane California II FIPS 0402 Feet  
Geographic coordinate system name: GCS North American 1983

Data Provided by North Star Precision Mapping, LLC Travis Engstrom, President  
339 Faulkner Street Mountain House, CA 95391 510-590-7984 tengstrom@nspmaps.com



1 inch = 300 feet

# Brackett Lot Line Adjustment (LL 16-01) Vicinity Map