



Date: August 12, 2025

Honorable Mayor and Council Members:

Author and title: Chantal Birnberg, Associate Planner

Title: Application 2024-00000155/ZMA-LLA (Marks Zoning Map Amendment and Lot Line Adjustment); Applicant/Owner: Jon and Romi Marks; 10441 and 10449 Somerset Drive; (APNs 040-120-027,-028)

Jen Callaway, Town Manager

Recommended Action: That the Town Council conduct a public hearing and take the following actions:

- 1) Introduce Ordinance 2025-06, approving a Zoning Map Amendment to rezone 10449 Somerset Drive (APN 040-120-028-000) from PF (Public Facilities) to RL-X (Low Density Residential, No Further Subdivision); and
- 2) Direct staff to tentatively approve the requested Lot Line Adjustment after Ordinance 2025-06 has been adopted; and
- 3) Determine the amendment to be exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15305 (Minor Alterations to Land Use Limitations) of the CEQA Guidelines, which exempts activities that would alter parcels without resulting in changes in land use or density.

Town Council's Role: Chapter 18.160 (General Plan, Zoning Map and Development Code Amendments) provides procedures for the amendment of Zoning Maps. The Planning Commission is instructed to review proposed amendments and provide a written recommendation to the Town Council, to either approve, approve with modifications, or deny the amendment. Once the Council receives the Commission's recommendation, the Council shall then take action to approve, modify, or deny the Zoning Map Amendment based on the findings in Section 18.160.060.

At the June 17, 2025 Planning Commission meeting, the Commission reviewed the proposed Zoning Map Amendment and recommended approval by adopting Resolution 2025-08 (Attachment 2).

Location/Setting: The subject parcels are located in the Glenshire Unit No. 2 subdivision. The parcel at 10441 Somerset Drive is zoned RL-X and is developed with a single-family residence. The adjacent parcel at 10449 Somerset Drive, which is proposed for rezoning, is currently vacant. The parcels are bordered by single-family homes to the north and south, a mix of vacant and developed single-family parcels to the west, and recreation parcel (subdivision open space) to the east.

Project Site Information:

10441 Somerset Drive

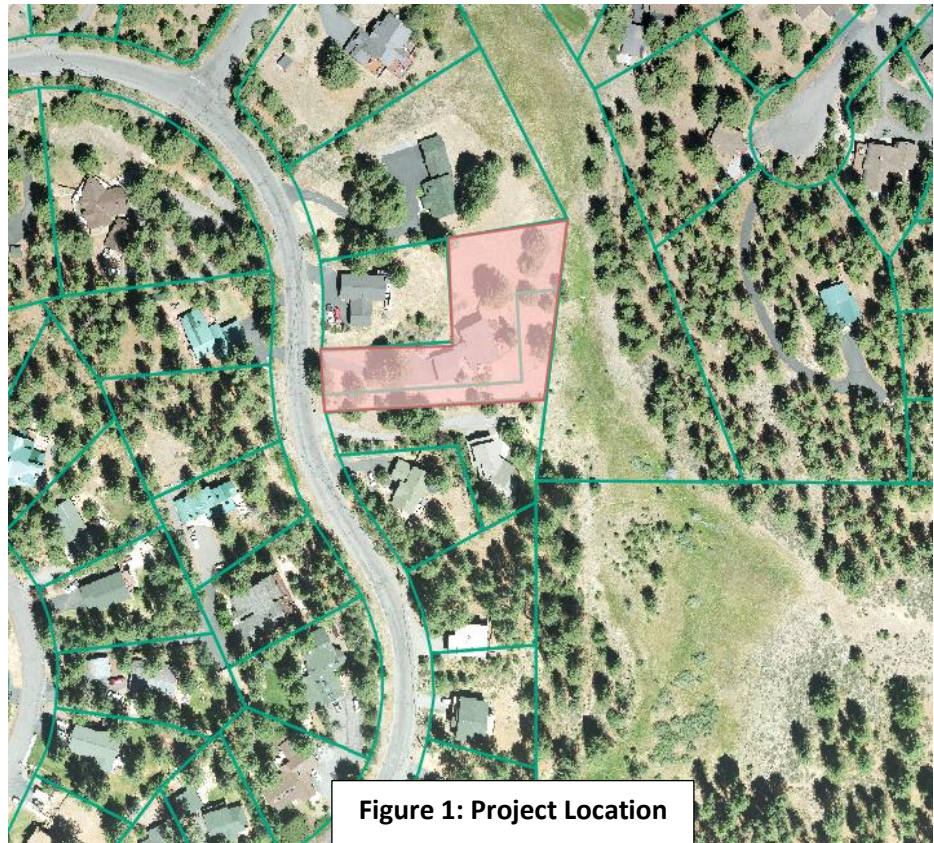
General Plan Designation: Very Low Density Residential
Zoning District: RL-X (Low Density Residential, No Further Subdivision)
Project Area: 0.60 acres

10449 Somerset Drive

General Plan Designation: Very Low Density Residential
Zoning District: PF (Public Facilities)
Project Area: 0.20 acres

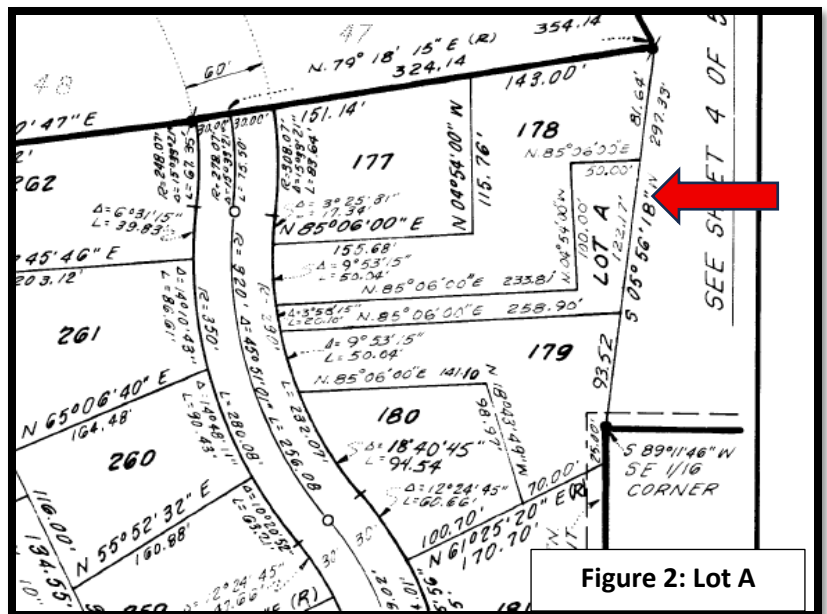
Discussion/Analysis: The subject parcels were created as part of the Glenshire Unit No. 2 subdivision, recorded in 1969. The parcel located at 10449 Somerset Drive was designated as Lot A, a public facility parcel intended for use by the Glenshire Mutual Water Company, the water utility provider for the subdivision at that time (see Figure 2).

In 2002, The Truckee Donner Public Utility District acquired the Glenshire Mutual Water Company and decommissioned many of its wells, including the one located on Lot A. Lot A was later sold to the owners of 10441 Somerset Drive. In 2020, both 10411 and 10449 Somerset Drive were purchased by the applicants. Due to its historic use as a utility parcel, 10449 Somerset Drive remains zoned PF.



Project Description

The applicants are requesting approval of a LLA to merge their two properties into a single legal lot. However, a LLA cannot be approved if it creates a greater number of nonconforming parcels than existed before adjustment. In this case the merger would create a lot with split zoning. To address this, the applicants are requesting to rezone the PF parcel to RL-X. Once rezoned, the parcels can be merged through the LLA process. The resulting lot would be approximately 0.8 acres in size and zoned RL-X (see Figure 4). Both parcels are located within the Glenshire Devonshire



Residents Association boundaries. The Association has reviewed the project and supports the rezone and LLA.

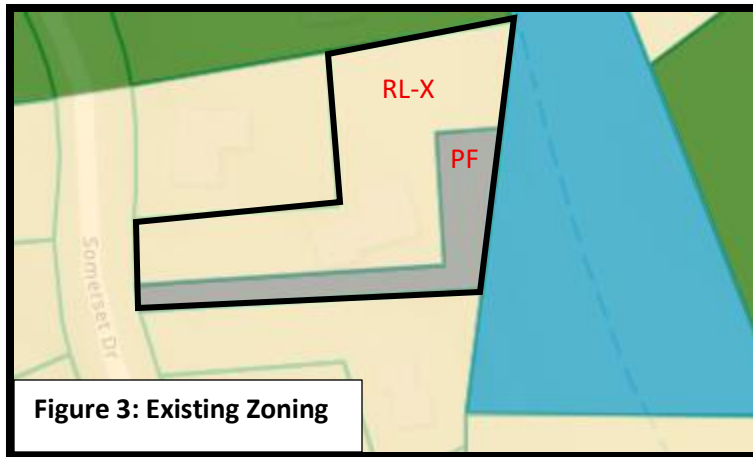


Figure 3: Existing Zoning

Land Use Approvals

Zoning Map Amendment

Chapter 18.160 (General Plan, Zoning Map and Development Code Amendments) provides procedures for the amendment of Zoning Maps. Review and approval of zoning amendments are considered a legislative act and not a land use permit or entitlement.

As noted earlier, the Planning Commission must provide a written recommendation to the Town Council to approve, approve with modifications, or deny the proposed amendment, based on the findings outlined in Section 18.160.060 (Findings for Amendments). The Town Council makes the final decision, also based on those findings, after receiving the Commission's recommendation. These findings are further discussed in the Development Code Consistency section below.

Lot Line Adjustment

The LLA process is used to relocate property lines between four or fewer adjoining parcels. It allows land to be transferred from one parcel to another, but it cannot create additional parcels. A LLA may also be used to voluntarily merge parcels, resulting in fewer parcels than originally existed. While LLAs are typically approved at the staff level, Development Code Section 18.70.030 (Concurrent Permit Processing) requires that when a project involves multiple applications, all applications must be reviewed and approved or denied by the highest-level review authority. In this case, that authority is the Town Council.

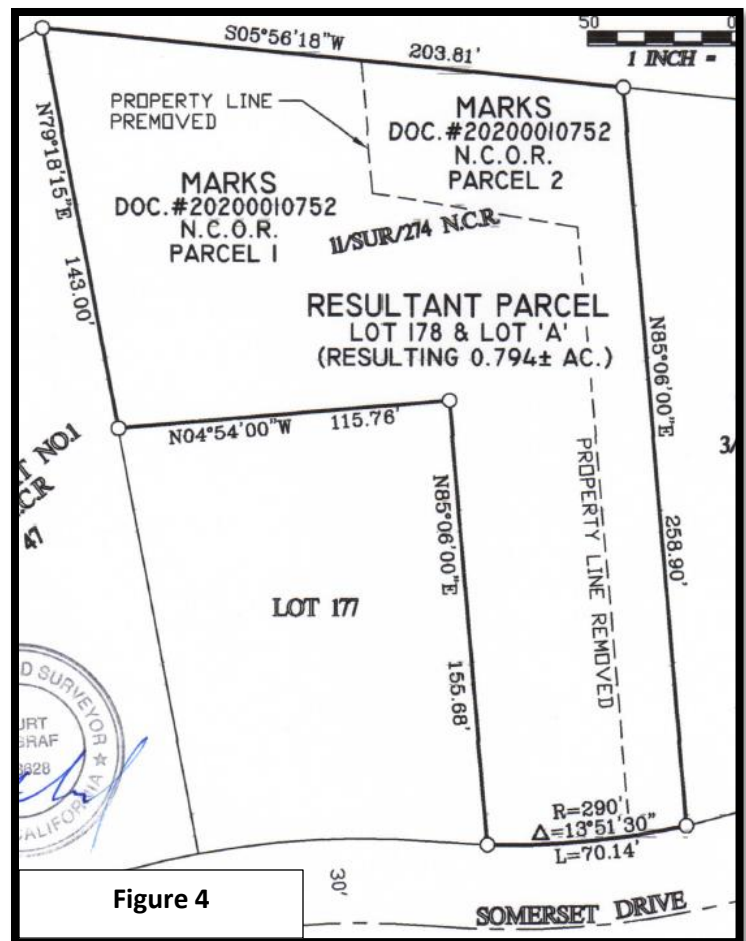


Figure 4

However, as the Lot Line Adjustment cannot be approved until the Zoning Map Amendment has been completed, staff is requesting that the Council direct staff to tentatively approve the Lot Line Adjustment

at that time. Final approval of a Lot Line Adjustment occurs once the Town Surveyor deems the map documents “technically correct” and the documents are recorded with Nevada County.

General Plan Consistency

Both parcels have a General Plan Land Use Designation of Very Low Density Residential, which allows for detached single-family homes and is intended for rural areas with minimal environmental constraints. Rezoning the parcel from PF to RL-X will bring the zoning into conformance with the General Plan.

Development Code Consistency

A Zoning Map amendment may be approved if the findings outlined in Section 18.160.060 can be made. These findings require that the proposed amendment:

- Is consistent with the General Plan,
- Is not detrimental to public health or safety,
- Does not result in a loss of residential density,
- Can be supported by adequate sewer and water system capacity, and
- Is on a site that is physically suitable for the proposed zoning designation.

As noted above, the proposed amendment is consistent with the General Plan. The site is no longer used for public water service and is surrounded by residentially zoned properties. As the PF-zoned parcel does not currently allow residential development, the proposed rezone and lot merger would neither increase nor decrease density nor require additional sewer or water capacity. The project was routed to all utility districts and no concerns were raised. The resultant parcel would comply with all development standards for the RL zoning district.

To ensure consistency with the Development Code, the Lot Line Adjustment (LLA) cannot be approved until the Zoning Map Amendment is adopted.

Environmental Review: Staff recommends that the Council find the project exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15305 (Minor Alterations to Land Use Limitations) of the CEQA Guidelines, which exempts activities that would alter parcels without resulting in changes in land use or density.

Staff Summary and Recommendation: Staff supports approval of the Lot Line Adjustment and Zoning Map Amendment as the proposal does not reduce residential density, allows the applicant to make more efficient use of the site, and results in the rezoned parcel becoming consistent with the General Plan.

Alternative Actions: Actions that the Town Council may take as an alternative to the recommended action include:

1. Continue the public hearing to a date and time certain. The Council may request additional information from the applicant and/or staff. (If new information is presented at the next meeting, the public portion of the hearing must be reopened on the new information submitted.)
2. Find that an exemption to CEQA is not suitable and require the preparation of an Initial Study in accordance with CEQA.
3. Recommend that the Zoning Map Amendment be denied on the basis that one or more of the required findings cannot be made.

Priority:

<input type="checkbox"/>	Enhanced Communication	<input type="checkbox"/>	Climate and Greenhouse Gas Reduction	<input type="checkbox"/>	Housing
<input type="checkbox"/>	Infrastructure Investment	<input type="checkbox"/>	Emergency and Wildfire Preparedness	<input checked="" type="checkbox"/>	Core Service

Fiscal Impact: No fiscal impact to the Town is anticipated as project application fees cover staff time, mailing costs and materials.

Public Communication: Notice of the public hearing was published in the *Sierra Sun* on August 1, 2025, and mailed to all property owners within 500 feet of the project site on July 29, 2025. As of the date of publication of this staff report, no public comments have been received regarding the proposed project.

Attachments:

- Attachment 1: Draft Ordinance 2025-06
 - Exhibit A: Zoning Map Amendment
- Attachment 2: Planning Commission Resolution 2025-08
- Attachment 3: Resultant Parcel