



Date: September 10, 2024

Honorable Mayor and Council Members

Author and title: Lucas Kannall, Assistant Planner

Title: Application No. 2020-00000072/LLA-DCA Corliss, Liston, Wurst, Franklin Lot Line Adjustment and Zoning Map Amendment; 11434, 11392, 11384 & 11330 Rocky Lane (APNs: 018-590-006, 007, 008 & 010-000); Owner/ Applicants: Troy Corliss, Anne Liston, Gregory Wurst and Dale Franklin

Jen Callaway, Town Manager

Recommended Action: That the Town Council adopt Resolution No. 2024-57, as recommended by the Planning Commission, approval of the Zoning Map Amendment to rezone a portion of 11330 Rocky Lane (APN 018-590-010-000) from Residential Single-Family, 2 dwelling units per acre to Residential Single-Family, No Further Subdivision and approve the Lot Line Adjustment reconfiguring 11434, 11392, 11384 & 11330 Rocky Lane (APNs: 018-590-006, 007, 008 & 010-000).

Project Location: The project parcels are located approximately 0.2 miles north of Donner Pass Road and just east of the Donner Trail Subdivision. Coyote Moon Golf Course borders the parcels to the north.

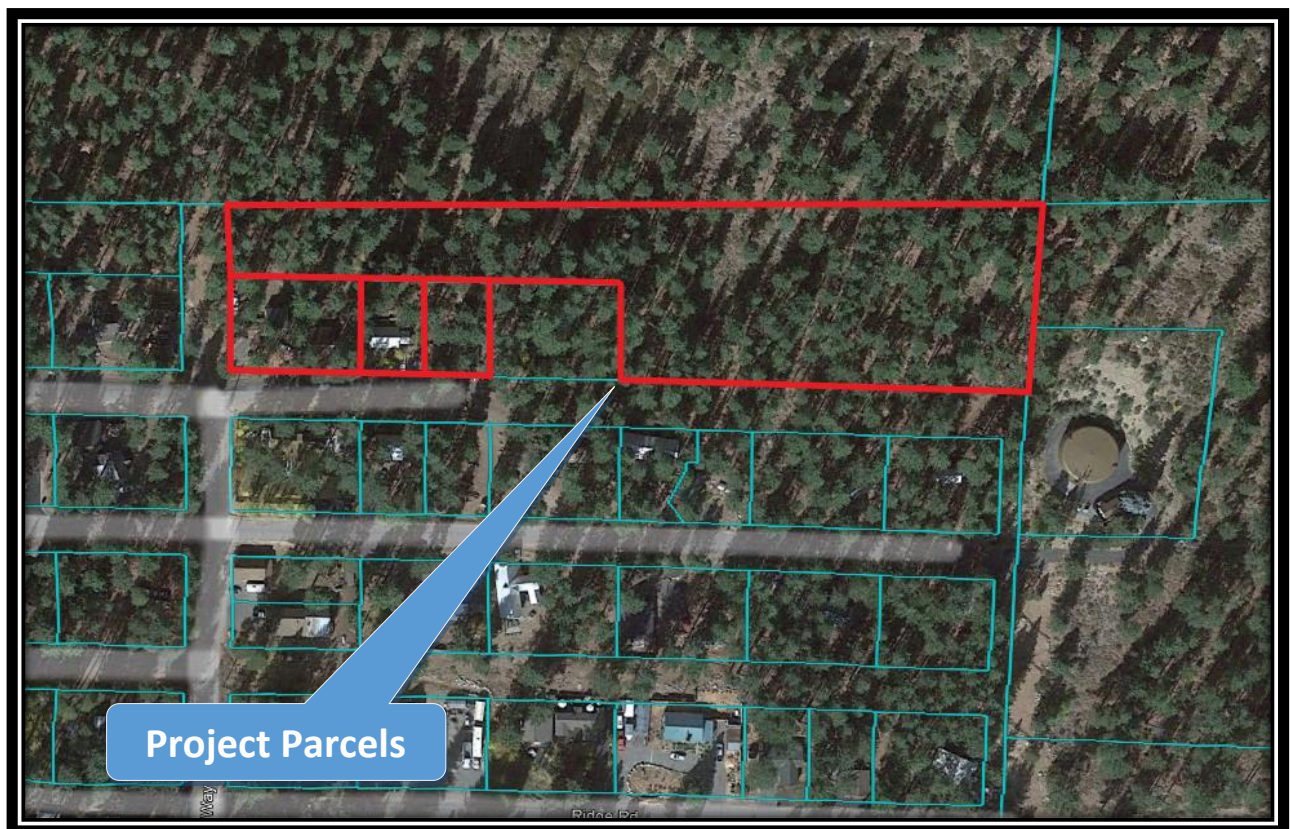


FIGURE 1: Parcel Location

The project parcels are surrounded by improved residential parcels to the west, north and south, and by unimproved residential parcels to the east. Although the northern parcel is zoned Single-Family Residential (RS), it is currently being used as a private golf course.

Project Site Information:

Zoning District:	RS-X (Single-family residential, no further subdivision allowed) and RS-2.0 (Single-family residential two dwelling units per acre)
Current General Plan Designation:	Residential 1-2 Dwelling Unit Per Acre
Parcel Sizes:	0.16-2.49 acres

Background: The applicants for this project are all neighbors on Rocky Lane, who became aware of a parcel for sale by the Truckee Donner Public Utility District that was adjacent to their lots. They saw this as an opportunity to prevent new construction occurring adjacent to their lots while also expanding their lots by incorporating pieces of the larger lot into their existing improved residential lots. After the purchase of this 2.49-acre parcel located at 11330 Rocky Lane, they applied for a Lot Line Adjustment on June 18, 2020 to expand each of their parcels to the northern property line of the larger lot. This incorporated a portion of the larger parcel into the three smaller residential lots while still preserving a 2-acre piece of the larger lot, which would not result in a loss of density for all parcels involved. On July 17, 2020, the Town sent an incomplete letter to the applicants detailing issues that prevented allowing the Lot Line Adjustment to be approved including the resultant parcels would be split zoned lots, which is prohibited.

Development Code, Section 18.86.040 requires the adjustment [of lots] will not have the effect of creating a greater number of nonconforming parcels than existed before adjustment and will not cause a parcel that was nonconforming before the adjustment to become more nonconforming as a result of the adjustment, except where the review authority determines that the adjustment will substantially improve the conditions of the pre-adjustment parcel and development. Since none of the lots included in the proposed Lot Line Adjustment were split zoned to begin with, and the resultant parcels would include three split zoned parcels, the proposal would be in violation of this section of code. After analyzing the cumulative potential for density of all lots included in the adjustment, it was determined that rezoning the lots through a Zoning Map Amendment would allow for the Lot Line Adjustment to be approved since there would be no loss or transfer of density, which would be in conflict with Assembly Bill 330 as discussed below. Each of the improved residential lots would remain ineligible for subdivision and would be fully rezoned to Residential Single-Family, no further subdivision (RS-X), while the larger parcel would remain Residential Single-Family, two dwellings per acre (RS-2.0) and be eligible for four units due to its resultant size being 2-acres.

On July 16, 2024, the Planning Commission reviewed this item in a public hearing and voted unanimously to recommend approval of the Zoning Map Amendment and Lot Line Adjustment to the Town Council.

Project Summary: The application proposes to expand three residential lots (Parcels 1, 2 and 3) by expanding them into a neighboring property to the north (Parcel 4) as shown below. The dotted lines depicted on the plat map show the property lines to be removed and the red lines show the new property lines for the expanded lots. By expanding lots 1, 2 and 3, parcel 4 will be reduced by the same amount as the other parcels gain.

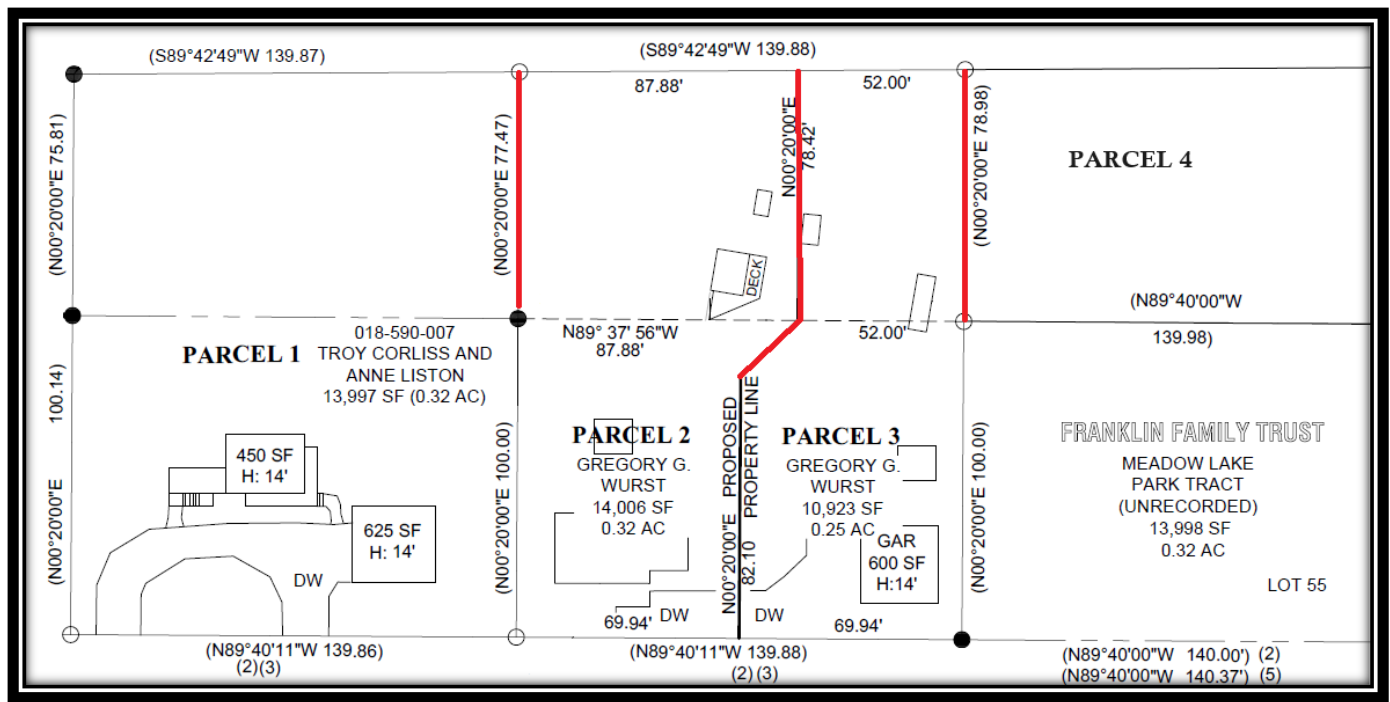


FIGURE 2: Plat Map

In order for the Town to approve any Lot Line Adjustment, Development Code Section 18.86.040 requires that the adjustment not have the effect of creating more nonconforming parcels than existed previously. Currently, lots 1, 2 and 3 are zoned Single-Family Residential, no further subdivision (RS-X) and lot 4 is zoned Single-Family Residential, 2 dwelling units per acre (RS-0.20). The lot line adjustment, as proposed, would result in lots 1, 2 and 3 being split zoned once expanded, which would be considered creating additional nonconforming lots and would require the Town to deny the proposal. Due to this, the applicants have also requested to rezone the portions of lot 4 to be absorbed into the neighboring lots to RS-X. The rezone would be conditional upon the recordation of the Lot Line Adjustment and would not go into effect until that process had been completed.

Density Considerations: California Senate Bill 330 requires that local governments prevent downsizing the density of a lot unless the jurisdiction can upzone an equivalent density elsewhere within their boundaries. Due to this requirement, it is critical that the requested rezone and lot line adjustment do not reduce the density potential of the properties involved. Staff has assessed the properties' densities and determined that there will be no net loss of density through the rezone as shown below:

Parcel 1: 0.32 acre to 0.57 acre, zoned RS-X = 1 unit

Parcel 2: 0.16 acre to 0.32 acre, zoned RS-X = 1 unit

Parcel 3: 0.16 acre to 0.32 acre, zoned RS-X = 1 unit

Parcel 4: 2.49 acres to 2.01 acres, zoned RS-0.20 = 4 units

Zoning Map Amendment: The proposed zoning will remain RS (single-family residential), but the suffix, "X", will be added to the portion of Lot 4 that is being added to the remaining lots in the Lot Line Adjustment to prevent the creation of split zoned parcels as shown in Figure 3 below:



FIGURE 3: Existing Zoning (Top) and Proposed Zoning (Bottom)

General Plan and Development Code Consistency: All parcels included in the Lot Line Adjustment have a General Plan designation of Residential, 1-2 units per acre. This underlying designation is not proposed to change as part of this project, and the density of the lots will also not change. This will still support the General Plans goals of providing adequate housing and not reducing density within the town. Development Code, Section 18.86 regulates Lot Line Adjustments, which may be used to relocate lot lines between four or fewer adjoining parcels. The Lot Line Adjustment may also not result in the exacerbation of nonconforming elements of the parcels or create new nonconformities. Parcels 2 and 3 had previously constructed facilities off site and onto the parcel to the north, creating complexities for the approval of this project. Through discussions with Town Staff, the homeowner has been able to modify their structures and jog the new proposed lot line between the parcels northeast at a 45 degree angle to avoid these structures. Additionally, by moving the parcel line over past the parcel frontage, the homeowner has not exacerbated the nonconformity of the lot by further reducing the road frontage below the required 70 feet for the RS zoning district. The current proposed tentative map would not result in an exacerbation of nonconforming structures, lot size or density and would be consistent with the Development Code.

Environmental Review: Staff recommends that the Town 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.

Public Communication: Notice of the public hearing was published in the *Sierra Sun* on August 30, 2024, and mailed to all property owners within 500 feet of the project site on August 27, 2024. As of the date of publication of this staff report, no public comments have been received.

Staff Summary and Recommendation: Staff supports approval of the Lot Line Adjustment and Zoning Map Amendment as it would not result in a loss of density and would provide for better utilization of the existing uses on site for the homeowners. The Lot Line Adjustment in conjunction with the Zoning Map Amendment would allow for the expansion of the existing parcels improved with single-family residential infrastructure without creating a split zoned lot and still allow for the future subdivision of Parcel 4.

Alternatives: 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.
2. The Town Council may request additional information from staff (if new information is presented at the next meeting, the public portion of the hearing must be reopened on the new information submitted).
 - a. Add, delete, or modify the proposed language.
 - b. Recommend that the proposed Zoning Map Amendment and lot line adjustment should not be adopted.
3. Require additional environmental review.

Priority:

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

Attachments:

- Attachment 1: Resolution 2024-57
- Attachment 2: Tentative Map