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Planning Director  
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Rebecca Mansour

## City of Sebastopol Environmental Review Committee Staff Report

Meeting Date: April 8, 2021  
To: Environmental Review Committee (ERC)  
From: Alan Montes, Associate Planner  
Subject: Lot line Adjustment  
Recommendation: Conditional Approval  
Applicant/Owner: Phelps & Associates / Carmen Ferraz / Elaine Stanton  
File Number: 2020-073  
Address: 7464 & 7462 Calder Ave.  
CEQA Status: Categorical Exemption 15305: Class 5  
General Plan: Medium Density Residential (MDR)  
Zoning: Single Family Residential (R4)

### **Introduction:**

This is a lot line adjustment request to transfer 201 sq. ft. from 7462 Calder Avenue (current APN 004-191-036) to 7464 Calder Avenue (current APN 004-191-034).

### **Project Description:**

The project proposes to transfer 201 sq. ft. from 7462 Calder Avenue to 7464 Calder Avenue to accommodate an existing concrete walkway and board fence which were constructed by the owners of 7464 Calder Avenue and currently encroach on the property known as 7462 Calder Avenue.

### **Environmental Review:**

The project is categorically exempt from the requirements of CEQA pursuant to Section 15305, Class 5, which includes minor lot line adjustments, side yard, and set back variances not resulting in the creation of any new parcels.

### **Zoning Ordinance Consistency:**

The project is consistent with the Zoning Ordinance in that both lots will still exceed the minimum lot size of 5,000 sq. ft. and comply with the setback requirements. Additionally, the proposed action will resolve a property encroachment issue.

### **Public Comment:**

The Planning Department complied with Section 16.12.020(D) of the Subdivision Ordinance: 1) Provided written notice to all adjacent property owners. The Planning Department has not received any comments from the public as of writing this report.

### **City Departmental Comment:**

The following City departments reviewed the application: Building and Safety, Fire,

Public Works, Engineering and City Manager. No comments were received.

**Analysis:**

Staff is supportive of the Lot Line Adjustment application, in that both lots would be in conformance with the Zoning Ordinance, including minimum lot size, setbacks, and lot coverage.

**Recommendation:**

Staff recommends that the Committee approve the application based on the facts, findings, and analysis set forth and subject to the conditions of approval contained in this staff report and Exhibits A and B, which any modifications the Committee feels are appropriate, and if there is a consensus that the design of the project appropriate.

**Exhibits:**

- A. Recommended Findings of Approval
- B. Recommended Conditions of Approval Attachments:

**Attachments:**

Application Materials

**LOT LINE ADJUSTMENT: 2020-073**  
**Lot Line Adjustment in R4 District**  
**7464/7462 Calder Ave.**

**FINDINGS FOR APPROVAL**

1. That notice of consideration of the application was provided, pursuant to the Subdivision Ordinance, and that no objections to the request were submitted.
2. That the project will not create a greater number of lots.
3. That the project conforms to the relevant requirements of the Building Code, Zoning Ordinance, the Subdivision Ordinance, and General Plan in that it adjusts a lot line by adjusting the lot lines between 7462 Calder Ave. and 7464 Calder Ave. and does not involve new development.

**LOT LINE ADJUSTMENT: 2020-073**  
**Lot Line Adjustment in R4 District**  
**7464/7462 Calder Ave.**

**CONDITIONS OF APPROVAL**

1. Approval is granted for the Lot Line Adjustment described in the application date-stamped December 15, 2020 and on the revised plan date-stamped January 18, 2021, except as modified by the conditions of approval, and is valid for a period of eighteen (18) months during which time the rights granted must be exercised. However, the applicant may request one (1) one-year extension of this Lot Line Adjustment from the Environmental Review Committee, pursuant to Section 16.12.020.J of the Municipal Code.
2. The City of Sebastopol and its agents, officers and employees shall be defended, indemnified, and held harmless from any claim, action or proceedings against the City, or its agents, officers and employees to attach, set aside, void, or annul the approval of this application or the environmental determination which accompanies it, or which otherwise arises out of or in connection with the City's action on this application, including but not limited to, damages, costs, expenses, attorney's fees, or expert witness fees.
3. The applicant shall submit title reports for both properties, including acquisition deeds, describing each property before any adjustment is made. The applicant shall also submit draft deeds showing the two properties in the adjusted state, along with a plat of each property and closure calculations.
4. The disclosure statement (below) shall be appended to the draft deeds. Upon approval by the City Engineer, the new deeds shall be recorded to show the two properties in the adjusted state.

The purpose of this deed is for a Lot Line Adjustment for the combination of a portion of the lands of \_\_\_\_\_ as described in deed recorded under Document No. \_\_\_ of Official Records, Sonoma County Records, (A.P. No. \_\_\_\_\_) with the lands of \_\_\_\_\_ as described in deed recorded under Document No. \_\_\_\_\_ of Official Records, Sonoma County Records (A.P. No. \_\_\_\_\_).

This deed is pursuant to a Lot Line Adjustment approved by the City of Sebastopol Environmental Review Committee on April 08, 2021. It is the express intent of the signatories hereto that the recordation of this deed extinguishes any underlying parcels or portions of parcels.

Approved: \_\_\_\_\_ Date: \_\_\_\_\_  
Joseph G. Gaffney, RCE 31678  
City Engineer

5. The applicant shall record the deed(s) and provide a copy of the recorded deed(s) to the Public Works Department, which shows the lots as per the approved application.