

COLANTUONO
HIGHSMITH
WHATLEY, PC

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MEMORANDUM

TO: City of Calabasas Planning Commission DATE: January 25, 2024

FROM: Vernetra L. Gavin, Assistant City Attorney

RE: Lot Line Adjustment Policy, Legal Compliance, and General Plan Support

The City of Calabasas’s current policy is to correct erroneous lot lines involving new development sites. Pursuant to Calabasas Municipal Code (CMC) § 17.44.100, a lot line adjustment’s procedural purpose is to relocate lot lines between two or more existing adjacent parcels, where land taken from one parcel is added to an adjoining parcel and creates no more parcels than what originally existed. Per the Subdivision Map Act, the Planning Commission, as an advisory agency, may impose conditions to conform to the local general plan. (Cal. Gov’t Code § 66412(d) [emphasis added].) The City’s General Plan encourages small lot consolidation: “The City will continue to pursue programs to provide incentives for owners of existing small residential lots to consolidate their holdings into larger parcels.” (Calabasas General Plan 2030: Implementation, p. XIII-4); and the Community Development Director has authority over lot line adjustments. (Calabasas General Plan 2030: Appendix C7- Housing Element Background Report, p. G-49.)

Additionally, lot line adjustments done prior to development prevent a subsequent lot merger requirement for any future developments to the property. CMC § 17.44.140 (A)(3) states “No building permit shall be issued for any *addition to, rebuild or repair* of any building or structure that crosses a property line until a lot merger (or lot line adjustment, if applicable) has been completed.” Property owners and future property improvements would be in stagnation—which is preventable by the City’s current policy requiring a lot line adjustment as part of, or before, the main development entitlements.

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Currently, the property, located at 23720 Summit Dr. (APN 2072-018-017), has two separate legal lots, which allow development on either or both lots. By combining the lots, single-family residential development laws are applicable to the entire lot instead of being applicable to both Lot 2 and Lot 3 sections of the original tract map. This aligns with the City's general plan to encourage small lot consolidation. Additionally, the lot line adjustment prevents subsequent legal sale of the individual lots, which would piecemeal the parcel and create havoc if the building were to be built across parcel lines. This Staff Report has a detailed explanation of the Lots' parameters. Lastly, a lot line adjustment will not affect the tract map, so the neighboring property owners would not have an issue with their legal description. The Lot numbers reference the tract map—which remains unaffected.

Recommendation: Resolution containing approval with Lot Line Adjustment.