



## Staff Report

**TO:** Town of Loomis Planning Commission Members

**FROM:** Mary Beth Van Voorhis, Planning Director

**DATE:** November 27, 2018

**RE:** Application #18-13 – 6020 / 6090 Nute Road Lot Line Adjustment  
APN 045-170-071 (Enright) and APN 045-170-012 (Kaluza)  
67.6 +/- acres (combined)

### Recommendation

1. Conduct a public hearing and receive public input; and
2. Find that the project is Categorically Exempt under Class 15, Section 15305 Minor Alterations in Land Use Limitations, of the California Environmental Quality Act (CEQA) Guidelines; and
3. Adopt Resolution #18-09 to approve the Lot Line Adjustment (#18-13) to reconfigure APN 045-170-071 (Enright) to 52.2 acres and APN 045-170-012 (Kaluza) to 15.4 acres (6090 and 6020 Nute Road) subject to the findings in Exhibit A and the recommended conditions of approval in Exhibit B.

### Issue Statement and Discussion

Property owners Elizabeth and Rod Enright and Michael and Christina Kaluza are requesting a Lot Line Adjustment (LLA) to adjust the common boundary line between their two existing parcels APN 045-170-071 (52.0 acres) and APN 045-170-012 (15.6 acres), as shown in Figures 1 and 2, in order to allow the existing pond that currently bisects the property line to lie completely within APN 045-170-012. The reconfiguration of the parcels is shown in Figures 3 and 4.

The existing parcels are zoned RA (4.6 acre minimum) and are occupied by the current owners. The surrounding parcels are all residential in nature with the Sierra De Montserrat Estates Development to the south and east.

### **General Plan, Zoning, and Existing Land Uses:**

	<b>GENERAL PLAN</b>	<b>ZONING</b>	<b>CURRENT LAND USE</b>
<b>ON SITE</b>	RESIDENTIAL AGRICULTURE	RA	SINGLE FAMILY RESIDENTIAL\RANGELAND
<b>NORTH</b>	RESIDENTIAL AGRICULTURE	RA	SINGLE FAMILY RESIDENTIAL\RANGELAND
<b>EAST</b>	RESIDENTIAL AGRICULTURE	RA	SINGLE FAMILY RESIDENTIAL
<b>SOUTH</b>	RESIDENTIAL AGRICULTURE	RA	SINGLE FAMILY RESIDENTIAL
<b>WEST</b>	RESIDENTIAL ESTATE	RE	SINGLE FAMILY RESIDENTIAL\RANGELAND

**General Plan & Zoning District = RA = Residential Agriculture**

	<u>Required</u>	<u>Proposal</u>
Minimum lot size Area (net)	4.6 ac	Complies
Minimum lot width	160 ft.	Complies
Minimum lot depth	100 ft.	Complies
Minimum lot frontage	100 ft.	Complies

The resulting acreages after the Lot Line Adjustment will be:

APN 045-170-012 = 15.4 acres

APN 045-170-071 = 52.2 acres

Total = 67.6 acres

**Existing Improvements/Utilities/Service Systems:**

**Sewer** – Septic

**Trash** – Recology

**Fire** – South Placer Fire District

**Water** – Wells

**Non Potable/Irrigation Water** – Placer County Water Agency, 6" line, privately owned

**Owner Information:**

APN 045-170-012

Michael and Christina Kaluza

6090 Nute Road

Loomis, CA 95650

530-217-7485

[BETHENRIGHT1@GMAIL.COM](mailto:BETHENRIGHT1@GMAIL.COM)

APN 045-170-071

Elizabeth and Rod Enright

6010 Nute Road

Loomis, CA 95650

916-652-5755

[MKALUZA01@GMAIL.COM](mailto:MKALUZA01@GMAIL.COM)

**Owner Representative:**

Cartwright Engineers

Mike Micheels, Project Manager

4180 Douglas Blvd, Suite 200

Granite Bay, CA 916-978-4001

[mmicheels@cartwrightengineers.com](mailto:mmicheels@cartwrightengineers.com)

Figure 1 – Vicinity Map

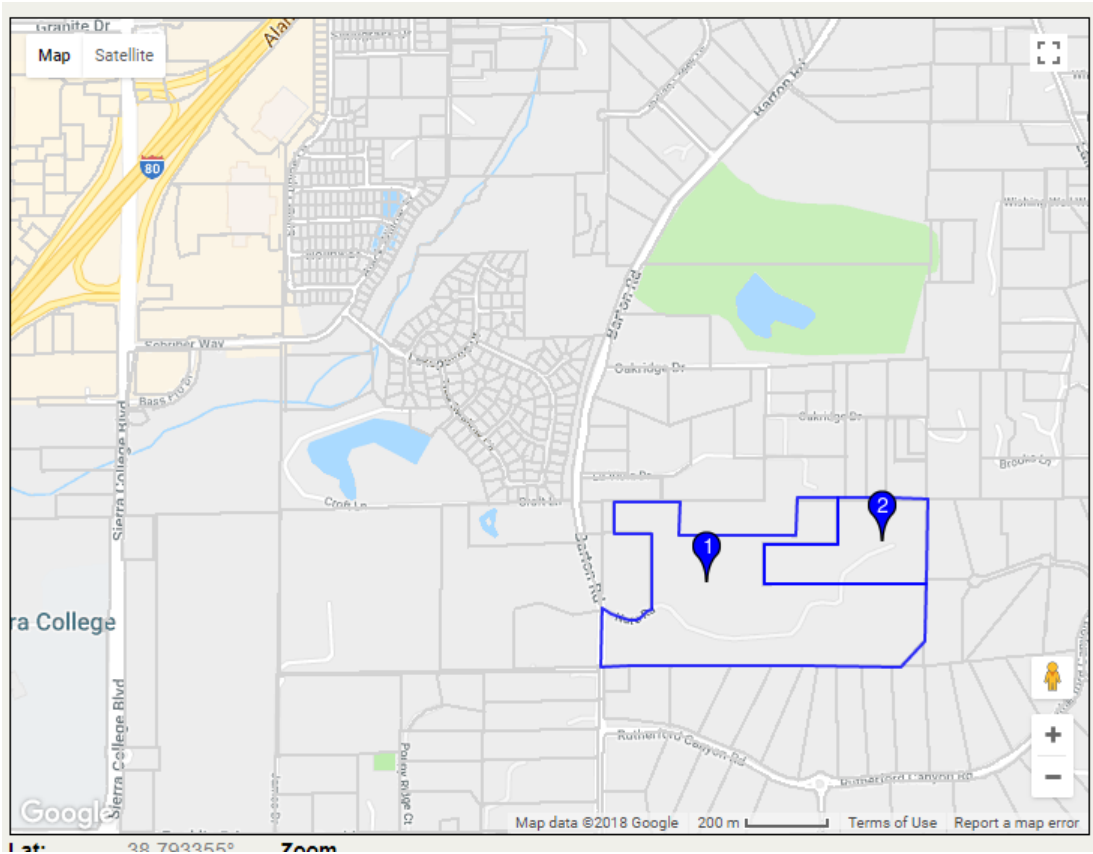
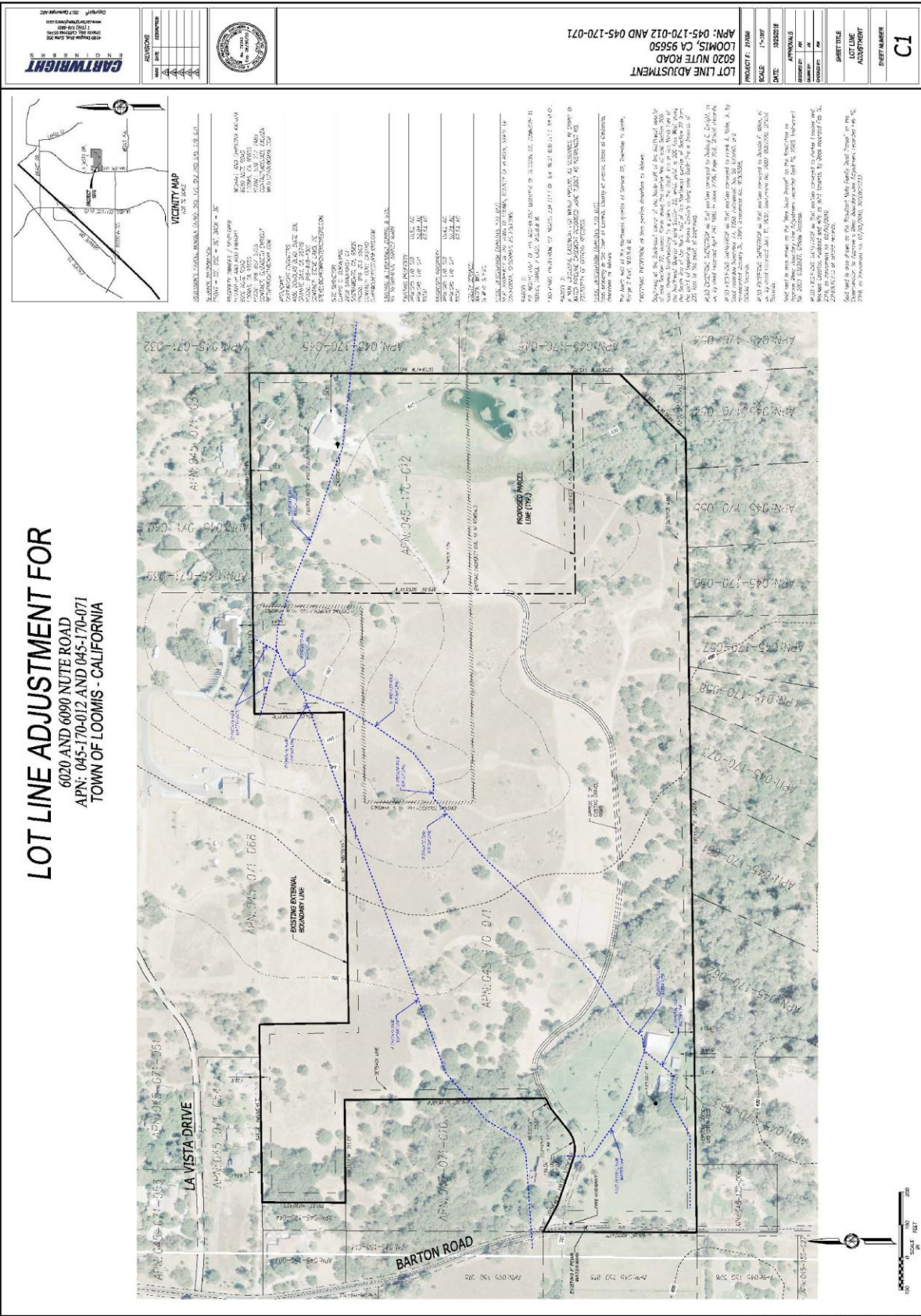


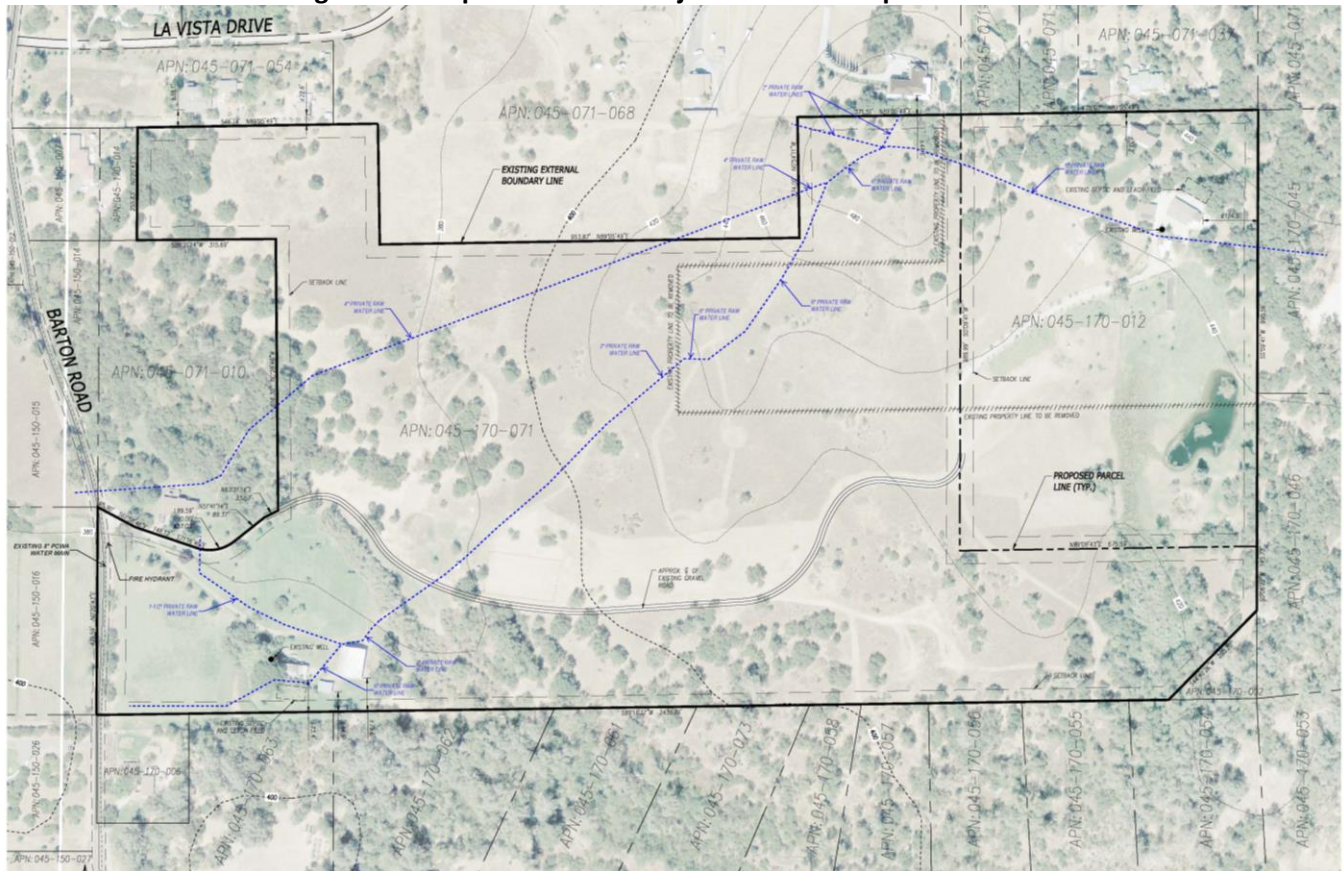
Figure 2 – Aerial View – Site Specific



Figure 3 – Proposed Lot Line Adjustment



**Figure 4 – Proposed Lot Line Adjustment – Site Specific**



The 67.6 acre project site consists of two parcels, each with a single family home and associated out buildings on each parcel. The site is accessed via Nute Road, a private road which will continue to serve the two parcels. The majority of the property is undeveloped pasture land, with trees along the perimeter with a number of oaks and cottonwoods in the central portion of the site. While most of the project site is fairly level, a butte rises sharply in the northeastern corner of the site. Elevations range from 380 to 480 feet, peaking at the northeast corner, which is the main distribution point for a series a private irrigation lines.

A man-made pond currently straddles the property line of the two existing parcels to the east. As previously stated, the proposed division would realign the property lines to have the pond completely within the northeastern parcel. In addition to the pond, there is an intermittent stream located in the southwestern portion of the project site, which flows through a culvert under Nute Road. Natural swales collect and convey runoff toward the on-site intermittent stream.

There are no plans to expand the existing dwelling sites associated with this Lot Line Adjustment. There is, however, a Tentative Map application being processed concurrently to split the reconfigured 52.2 acre parcel (APN 045-170-071) into four individual parcels which will continue the existing single family residential use on one parcel and create three vacant parcels.

This lot line adjustment was included in the October 2, 2018 Planning Commission public hearing with Minor Land Division Project #18-01 and, at that time, the public hearing was continued to October 23, 2018, and continued once again to November 27, 2018 by the Commission in order for staff to address matters associated with conditions placed on the “remainder” lot identified in the project. Since that meeting, staff has worked with the applicants’ engineer and determined the lot line adjustment between these two parcels could be processed independently. Typically, lot line adjustments are approved by the Planning Director, however, since this matter was under previous review by the Commission, staff feels it appropriate for the Commission to approve this application.

### **CEQA Requirements**

The two parcels of this lot line adjustment were analyzed for their potential adverse environmental impacts as to endangered species, tree removal, cultural resources and possible pesticide contamination due to a former orchard, under an Initial Study/Mitigated Negative Declaration (IS/MND) dated August 2018 prepared in association with Minor Land Division Project #18-01 per the California Environmental Quality Act (CEQA). The Mitigated Negative Declaration was circulated for review and comment to agencies and the public and no significant adverse comments as to the project's environmental impacts were received. As this application relates only to the adjustment of the parcel lines between the two parcels as a Lot Line Adjustment this project will only require the filing of a CEQA Notice of Exemption, Class 15, Section 15305 (Exhibit C).

### **ATTACHMENTS**

1. Draft Resolution #18-09
  - Exhibit A: Recommended Findings
  - Exhibit B: Recommended Conditions of Approval
  - Exhibit C: Lot Line Adjustment Exhibit Map
2. CEQA Notice of Exemption, Exhibit D

**NOTE: Notice published in the Loomis News on November 16, 2018 and mailed to adjacent property owners within 300 feet on November 14, 2018.**

**RESOLUTION NO. 18-09**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE TOWN OF LOOMIS  
APPROVING LOT LINE ADJUSTMENT #18-13  
APN 045-170-071 and 045-170-012  
6020 and 6090 NUTE ROAD**

**WHEREAS**, the property owners have requested approval of a Lot Line Adjustment Application #18-13 subject to the attached findings (Exhibit A) and Conditions of Approval, (Exhibit B); and

**WHEREAS**, on November 27, 2018, the Planning Commission of the Town of Loomis conducted a public hearing on Lot Line Adjustment #18-13, at which time any person interested in the matter had an opportunity to be heard; and

**WHEREAS**, the Planning Commission of the Town of Loomis reviewed and considered the staff report relating to the application, the plans, the written and oral evidence presented to the Planning Commission in support of and in opposition to the application; and

**WHEREAS**, the Planning Commission of the Town of Loomis hereby makes the following findings to approve Lot Line Adjustment Application #18-13.

**NOW THEREFORE**, based on the findings set forth herein the Planning Commission of the Town of Loomis, at its meeting of November 27, 2018, did resolve as follows:

1. The Town of Loomis hereby finds the project is exempt from CEQA based on Section **15305(a)** as a Minor Alteration in Land Use Limitations as the lot line adjustment will not result in the creation of any new parcel.
2. The proposed Project is consistent with the goals, policies and land uses in the Town of Loomis General Plan and Zoning Ordinance.
3. The Lot Line Adjustment (Application #18-13) is hereby approved per the findings set forth in Exhibit A, the Conditions of Approval set forth in Exhibit B, and shown on the Lot Line Adjustment Map in Exhibit C.

ADOPTED this 27th day of November 2018, by the following vote:

AYES:  
NOES:  
ABSENT:  
ABSTAINED:

---

Carol Parker, Secretary to the  
Planning Commission

---

Greg Obranovich,  
Planning Commission Chairman

**EXHIBIT A**

**FINDINGS**

**NUTE ROAD—LOT LINE ADJUSTMENT #18-13  
PLANNING COMMISSION, November 27, 2018**

Pursuant to Section 66412(d) of the Subdivision Map Act and the Town of Loomis Title 14, Chapter 14.12 Lot Line Adjustments, the Planning Commission makes the following findings:

1. The Lot Line Adjustment will not result in the abandonment of any street or utility easement of record, and that, if the lot line adjustment will result in the transfer of property from one owner to another owner, the deed to the subsequent owner expressly reserves any street or utility easement of record.
2. The Lot Line Adjustment will not result in the elimination or reduction in size of the access way to any resulting parcel, or that the application is accompanied by new easements to provide access which meet all the town requirements regarding access to parcels in the location and the size of those proposed to be created.
3. The resulting parcels conform to the town's building code and the town's zoning ordinance.



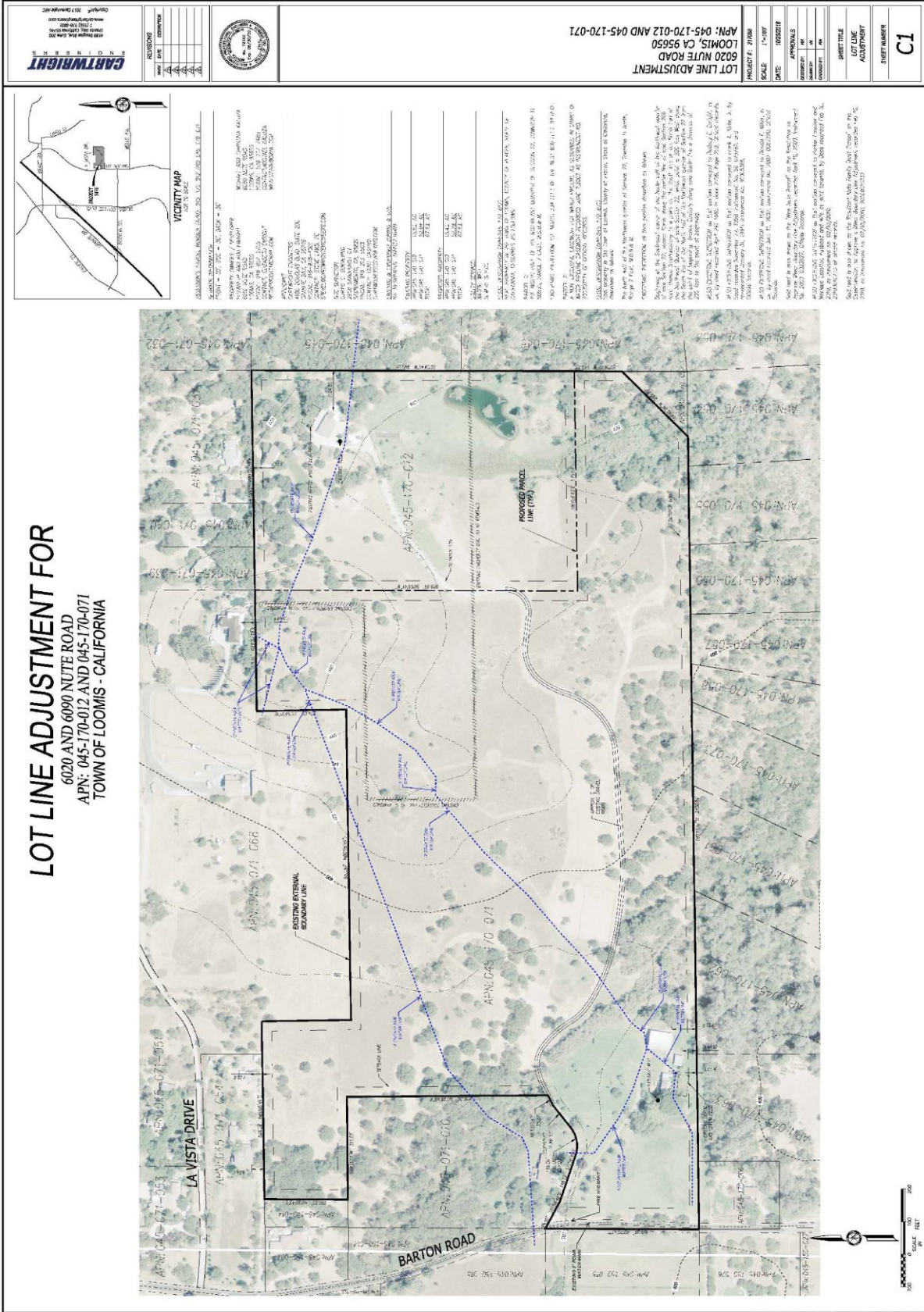
**EXHIBIT B**  
**CONDITIONS OF APPROVAL**  
**NUTE ROAD – LOT LINE ADJUSTMENT #18-13**  
**PLANNING COMMISSION, November 27, 2018**

**Lot Line Adjustment #18-13** is approved to adjust the common boundary line between two existing parcels APN 045-170-071 (52.0 acres) and APN 045-170-012 (15.6 acres).

**GENERAL CONDITIONS**

1. \_\_\_\_ The conditions of approval shall apply as noted by the letters “**A**”, “**B**”, “**C**”, after a condition of approval as follows:
  - “**A**” – Required by the Applicant\Subdivider\Owner who is the property owner;
  - “**B**” – Required of the property owners of the adjusted parcels created by the recordation of the lot line adjustment; and
  - “**C**” Conditions required of owners as either “**A**” and “**B**”.
  
2. \_\_\_\_ Recording: Pursuant to Government Code Section 66412(d) Subdivision Map Act, the lot line adjustment shall be reflected in a deed, with legal description (as an exhibit map) of the property which shall be recorded with the Placer County Recorder’s office at the owner/applicant’s expense. Proof of recording to be provided to the Town of Loomis, Planning Department. **C**
  
3. \_\_\_\_ Approval: Resolution by the planning commission shall be evidence of approval and shall be accompanied with legal description (as an exhibit) of resulting parcels approved by the town engineer. **C**
  
4. \_\_\_\_ Expiration: The approval of a lot line adjustment shall expire twelve (12) months from its approval by the planning commission unless the expiration date is extended by the planning commission in accordance with Section 14.12.090. **A**
  
5. \_\_\_\_ Extension:
  - A. An owner or owners may request an extension of the expiration date of an approved lot line adjustment by written application to the planning commission. The application must be filled before the approval is to expire, shall be signed by all affected property owners, and shall state the reasons for requesting the extension. **C**
  - B. Within a reasonable period of time following submission of an application for an extension, the planning commission shall approve or deny the application for an extension. **C**
  - C. The time at which the lot line adjustment approval expires may be extended by the planning commission for a period not exceeding a total of twelve months. **C**
  
6. \_\_\_\_ The conditions of approval of the application shall prevail over all omissions, conflicting notations, specifications, dimensions, typical sections, and the like, which may or may not be shown on the map or improvement plans. **C**
  
7. \_\_\_\_ The parcels of this lot line adjustment shall continue to share a private road, “Nute Road” onto Barton Road through non-exclusive easements as recorded. **C**
  
8. \_\_\_\_ The parcels of this lot line adjustment shall continue to share private Placer County Water Agency raw water easements as recorded. **C**

# Exhibit C – Lot Line Adjustment Exhibit Map



## LOT LINE ADJUSTMENT FOR 6020 AND 6090 NUTE ROAD APN: 045-170-012 AND 045-170-071 TOWN OF LOOMIS - CALIFORNIA

PROJECT: 21008 DATE: 08/20/18 SCALE: 1"=100' SHEET TITLE: LOT LINE ADJUSTMENT SHEET NUMBER: C1		LOT LINE ADJUSTMENT 6020 NUTE ROAD LOOMIS, CA 95650 APN: 045-170-012 AND 045-170-071	

**VICINITY MAP**  
 OF THE SITE

6020 NUTE ROAD, APN: 045-170-012, 045-170-071  
 6090 NUTE ROAD, APN: 045-170-012, 045-170-071  
 6000 NUTE ROAD, APN: 045-170-012, 045-170-071  
 6100 NUTE ROAD, APN: 045-170-012, 045-170-071  
 6200 NUTE ROAD, APN: 045-170-012, 045-170-071  
 6300 NUTE ROAD, APN: 045-170-012, 045-170-071  
 6400 NUTE ROAD, APN: 045-170-012, 045-170-071  
 6500 NUTE ROAD, APN: 045-170-012, 045-170-071  
 6600 NUTE ROAD, APN: 045-170-012, 045-170-071  
 6700 NUTE ROAD, APN: 045-170-012, 045-170-071  
 6800 NUTE ROAD, APN: 045-170-012, 045-170-071  
 6900 NUTE ROAD, APN: 045-170-012, 045-170-071  
 7000 NUTE ROAD, APN: 045-170-012, 045-170-071  
 7100 NUTE ROAD, APN: 045-170-012, 045-170-071  
 7200 NUTE ROAD, APN: 045-170-012, 045-170-071  
 7300 NUTE ROAD, APN: 045-170-012, 045-170-071  
 7400 NUTE ROAD, APN: 045-170-012, 045-170-071  
 7500 NUTE ROAD, APN: 045-170-012, 045-170-071  
 7600 NUTE ROAD, APN: 045-170-012, 045-170-071  
 7700 NUTE ROAD, APN: 045-170-012, 045-170-071  
 7800 NUTE ROAD, APN: 045-170-012, 045-170-071  
 7900 NUTE ROAD, APN: 045-170-012, 045-170-071  
 8000 NUTE ROAD, APN: 045-170-012, 045-170-071  
 8100 NUTE ROAD, APN: 045-170-012, 045-170-071  
 8200 NUTE ROAD, APN: 045-170-012, 045-170-071  
 8300 NUTE ROAD, APN: 045-170-012, 045-170-071  
 8400 NUTE ROAD, APN: 045-170-012, 045-170-071  
 8500 NUTE ROAD, APN: 045-170-012, 045-170-071  
 8600 NUTE ROAD, APN: 045-170-012, 045-170-071  
 8700 NUTE ROAD, APN: 045-170-012, 045-170-071  
 8800 NUTE ROAD, APN: 045-170-012, 045-170-071  
 8900 NUTE ROAD, APN: 045-170-012, 045-170-071  
 9000 NUTE ROAD, APN: 045-170-012, 045-170-071  
 9100 NUTE ROAD, APN: 045-170-012, 045-170-071  
 9200 NUTE ROAD, APN: 045-170-012, 045-170-071  
 9300 NUTE ROAD, APN: 045-170-012, 045-170-071  
 9400 NUTE ROAD, APN: 045-170-012, 045-170-071  
 9500 NUTE ROAD, APN: 045-170-012, 045-170-071  
 9600 NUTE ROAD, APN: 045-170-012, 045-170-071  
 9700 NUTE ROAD, APN: 045-170-012, 045-170-071  
 9800 NUTE ROAD, APN: 045-170-012, 045-170-071  
 9900 NUTE ROAD, APN: 045-170-012, 045-170-071  
 10000 NUTE ROAD, APN: 045-170-012, 045-170-071

Notice of Exemption

Appendix E

To: Office of Planning and Research
P.O. Box 3044, Room 113
Sacramento, CA 95812-3044
County Clerk
County of: Placer
2954 Richardson Drive
Auburn, CA 95630

From: (Public Agency): Town of Loomis
3665 Taylor Road
Loomis, CA 95650
(Address)

Project Title: #18-13 / 6020 & 6090 Nute Road, Lot Line Adjustment (APN 045-170-012 & 045-170-071)

Project Applicant: Michael & Christina Kaluza (045-170-012) & Elizabeth and Rod Enright (045-170-071)

Project Location - Specific:

6020 & 6090 Nute Road, Loomis, California (APN:045-170-012 and 045-170-071)

Project Location - City: Town of Loomis Project Location - County: Placer County

Description of Nature, Purpose and Beneficiaries of Project:

The Applicant is requesting approval of an Lot Line Adjustment from the Town of Loomis in order to adjust the common boundary line between the parcels to allow the existing pond that currently bisects the property line to lie completely within APN 045-170-012.

Name of Public Agency Approving Project: Town of Loomis

Name of Person or Agency Carrying Out Project: Mike Micheels, Cartwright Engineers, Granite Bay, CA

Exempt Status: (check one):

- Ministerial (Sec. 21080(b)(1); 15268);
Declared Emergency (Sec. 21080(b)(3); 15269(a));
Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
[X] Categorical Exemption. State type and section number: Class 5-15305. Minor Alterations-Land Use
Statutory Exemptions. State code number:

Reasons why project is exempt:

Class 5 consists of minor alterations in land use limitations in areas with an average slope of less than 20%, which do not result in any changes in land use or density, including but not limited to:

a) Minor lot line adjustments, side yard, and set back variances not resulting in the creation of any new parcel.

Lead Agency Contact Person: Mary Beth Van Voorhis Area Code/Telephone/Extension: 916-652-1840 x21

If filed by applicant:

- 1. Attach certified document of exemption finding.
2. Has a Notice of Exemption been filed by the public agency approving the project? [ ] Yes [X] No

Signature: Date: Nov. 28, 2018 Title: Planning Director

[X] Signed by Lead Agency [ ] Signed by Applicant

Authority cited: Sections 21083 and 21110, Public Resources Code.
Reference: Sections 21108, 21152, and 21152.1, Public Resources Code.

Date Received for filing at OPR: