

**SAUSALITO PLANNING COMMISSION
RESOLUTION 2025-10**

**APPROVAL OF A LOT LINE ADJUSTMENT TO MERGE TWO EXISTING LOTS OF
RECORD AT 2015 BRIDGEWAY
APN: 064-135-24 and 064-135-28
PROJECT ID: 2024-00241**

WHEREAS, an application has been filed by the Applicant, Jay Behr, on behalf of Owner, AFNBLMN, LLC, requesting a Conditional Use Permit, Zoning Permit, and Lot Line Adjustment to convert an existing three-story office building into a 12-unit multi-family residential building with two affordable (low-income) units using the provisions of State Density Bonus Law at 2015 Bridgeway (APNs: 064-135-24 and 064-135-28); and

WHEREAS, the project site is listed in the Site Inventory in the City's adopted 6th Cycle Housing Element and is identified as having a maximum zoning density of 29 units per acre; and

WHEREAS, the project site is located within the Neighborhood Commercial land use designation of the General Plan and Neighborhood Commercial (CN-1) Zoning District; and

WHEREAS, the Planning Commission conducted a duly-noticed public hearing on May 14, 2025, at which time all interested persons were given an opportunity to be heard; and

WHEREAS, the Planning Commission has reviewed a Conditional Use Permit, Zoning Permit, and a Lot Line Adjustment for the proposed Project and considered the information contained in the staff report as well as any and all oral and written testimony on the proposed Project; and

WHEREAS, the Planning Commission has reviewed and considered the Project plans titled "2015 Bridgeway", dated January 24, 2025, and received January 30, 2025; and

WHEREAS, the Planning Commission finds that the proposed project, as conditioned herein, is consistent with the General Plan and complies with the requirements of the Zoning Ordinance as described in the staff report; and

WHEREAS, the Planning Commission finds that the requisite findings for approval set forth in SMC Section 10.64.050 can be made; and

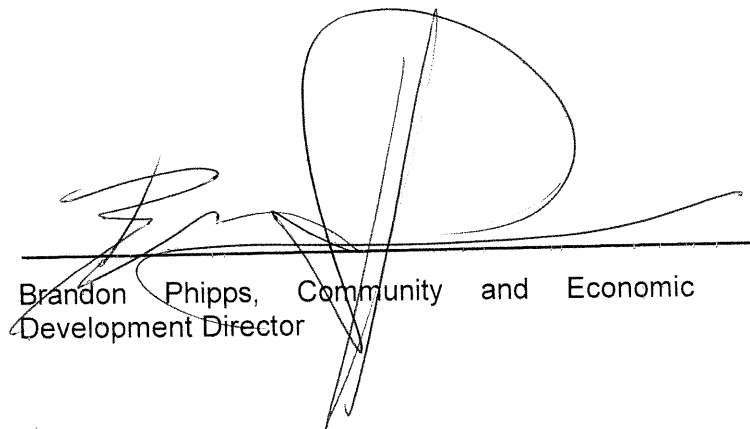
WHEREAS, pursuant to state law, Government Code section 66412(d), a local agency shall not impose conditions or exactions on its approval of a lot line adjustment except to conform to the local general plan, any applicable specific plan, any applicable coastal plan, and zoning and building ordinances, to require the prepayment of real property taxes prior to the approval of the lot line adjustment, or to facilitate the relocation of existing utilities, infrastructure, or easements, and no tentative map, parcel map, or final map shall be required as a condition to the approval of a lot line adjustment, and a local agency must "limit its review and approval to a determination of whether or not the parcels resulting from the lot line adjustment will conform to the local general plan, any applicable specific plan, any applicable coastal plan, and zoning and building ordinances."

NOW, THEREFORE, THE PLANNING COMMISSION HEREBY RESOLVES AS FOLLOWS:

1. The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15332 and Section 15305 under the California Environmental Quality Act (CEQA) Guidelines.
2. The Lot Line Adjustment for the Project is approved based upon the attached findings (Attachment 1) and subject to the attached conditions of approval (Attachment 2).

RESOLUTION PASSED AND ADOPTED, at the regular meeting of the Sausalito Planning Commission on the 14th day of May 2025, by the following vote:

AYES: Commissioner: Moore, Marlatt, Luxenberg, Saad
NOES: Commissioner:
ABSENT: Commissioner: Junius
ABSTAIN: Commissioner:



Brandon Phipps, Community and Economic
Development Director

ATTACHMENTS

- 1 Findings
- 2 Conditions of Approval

SAUSALITO PLANNING COMMISSION

RESOLUTION NO. 2025-10

May 14, 2025

APN: 064-135-24 and 064-135-28

PROJECT ID: 2024-00241

ATTACHMENT 1: FINDINGS

Lot Line Adjustment Findings

Pursuant to Section 10.64.050 of the SMC, an application for a Lot Line Adjustment may be approved if the following findings can be made:

A. No new lots will be created.

The project includes the merger of two code compliant 6,000 square foot lots to create one 12,000 square foot lot. As such, no new additional lots will be created.

B. Lot line adjustment will not increase development potential of affected parcels.

The proposed lot merger is required to merge two adjacent lots of record that are developed with an 11,705 square-foot three-story office building that was built in the early 1960s as an apartment building by the name of Vista Del Mar Apartments and later remodeled in 1975 when it was converted into an office building. This existing building spans both parcels and once merged no further development would be allowed on the resultant parcel given the existing building and zoning.

Furthermore, the City cannot deny a lot line adjustment due to this issue, because under state law, Government Code 66412(d), "a local agency or advisory agency shall limit its review and approval to a determination of whether or not the parcels resulting from the lot line adjustment will conform to the local general plan, any applicable specific plan, any applicable coastal plan, and zoning and building ordinances."

C. Resultant lots conform with all applicable requirements of this title, including shape, orientation to public right-of-way, use, open space, setbacks and bulk requirements.

The resultant lot created by the merger would be 12,000 square feet, which complies with the minimum lot size of the CN-1 Zoning District, which is 5,000 square feet. When combined the two adjacent identical rectangularly-shaped parcels, which are both 60 feet wide and 100 feet deep, will create one lot that is 120 feet wide and 100 feet deep. The new lot will have street frontage of 120 feet on Bridgeway and 100 feet on Olive Street. As the resultant lot is already fully developed with a legal nonconforming structure there will be not changes to existing open space, setbacks, and bulk.

D. When existing lots do not conform with all applicable physical and use requirements of this title, the resultant lots will not increase pre-existing nonconformities.

The resultant lot is already developed with a legal nonconforming building that spans both existing lots of record. The existing envelope of the building will not be altered as the majority of work proposed is interior. As such, the resultant lot will not increase pre-existing nonconformities.

E. Resultant lots will not create new nonconformities with this title.

The resultant lot is already developed with a legal nonconforming building that spans both existing lots of record and will not create new conformities with Title 10.

F. Resultant lots will be adequate in size and shape to accommodate the uses permitted in the applicable district and all yards, open spaces, walls and fences, vehicular access, parking, landscaping and other features required by this title.

The resultant 12,000 square foot lot will be of adequate size and shape to accommodate the residential use of the existing building. The resultant lot is already developed with a legal nonconforming building and is of adequate shape and size to accommodate the required vehicular access, parking, landscaping, walls and fences, and open spaces.

G. Proposed lots will be compatible with the uses and structures normally permitted in the surrounding area.

The proposed lot, which is in the Neighborhood Commercial (CN-1) Zoning District, is developed with an existing office building that is proposed to be converted to an apartment building. This residential use on the proposed lot is compatible with the residential (single-family and multi-family) and commercial uses in the surrounding area.

Furthermore, the City cannot deny a lot line adjustment due to this issue, because under state law, Government Code 66412(d), "a local agency or advisory agency shall limit its review and approval to a determination of whether or not the parcels resulting from the lot line adjustment will conform to the local general plan, any applicable specific plan, any applicable coastal plan, and zoning and building ordinances."

H. The proposed lot line configuration will not adversely affect the abutting property or its permitted use.

The proposed lot merger would only legally modify the configuration of the two parcels associated with the project by dissolving a lot line that currently runs through the center of the existing building that straddles both parcels and would have no impact on the configuration or use of adjacent parcels.

Furthermore, the City cannot deny a lot line adjustment due to this issue, because under state law, Government Code 66412(d), "a local agency or advisory agency shall limit its review and approval to a determination of whether or not the parcels resulting from the lot line adjustment will conform to the local general plan, any applicable specific plan, any applicable coastal plan, and zoning and building ordinances."

I. The proposed lot lines are properly located relative to the adjoining properties, other properties in the vicinity and the public street right-of-way.

The proposed lot merger will have no impact on adjoining properties or those in the vicinity as it is dissolving a lot line between two adjacent parcels. The outer boundaries of the lots in question will remain the same.

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ATTACHMENT 2: CONDITIONS OF APPROVAL

COMMUNITY DEVELOPMENT DEPARTMENT:

General Items:

1. Pursuant to Sausalito Municipal Code Section 10.50.120 (Implementation of Permits), it shall be the Applicant's responsibility to diligently proceed to carry out the Conditions of Approval and implement any approved permit(s). This shall include establishing the approved use/implementing the permit(s) within the time limits set forth by the applicable code. Extensions to approved permits may be sought pursuant to SMC 10.50.140.
2. Prior to issuance of a building permit, the Applicant/Property Owner(s) shall carry out and implement the approved Lot Line Merger. The Applicant/Property Owner(s) shall prepare a deed in a form acceptable to the City for recording and shall be responsible for recording the deed in the Official Records of the County of Marin, including payment of all costs of recording.