

## **ATTACHMENT 3**

### **BOARD OF SUPERVISORS FINDINGS**

## **ATTACHMENT 3: FINDINGS**

### **1.0 CEQA FINDINGS**

The Board of Supervisors finds that the proposed project is exempt from environmental review under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Sections 15305(a) and 15061(b)(3). Please see Attachment 6, Notice of Exemption, incorporated herein by reference.

### **2.0 ADMINISTRATIVE FINDINGS**

#### **GENERAL PLAN AMENDMENT AND REZONE**

##### **Findings Required for Approval of Amendments (§35.104.060).**

An application for an Amendment to the Comprehensive Plan, Development Code or Zoning Map may be approved only if the review authority first makes all of the following findings, as applicable to the type of Amendment.

##### **A. Findings for Comprehensive Plan, Development Code and Zoning Map Amendments.**

###### **1. The request is in the interests of the general community welfare.**

The request is in the interests of the general community welfare because the project will result in additional level land available to the Los Alamos Cemetery District, which has served the surrounding community since the 1800s. In addition, the project would not reduce the total acreage of agricultural operations. The land exchanged from the Cemetery will be added to the Carrari family's adjacent livestock grazing operation and the Cemetery will continue to operate as a public cemetery. The exchange of less than one acre of moderately sloping land for adjacent level land would reduce necessary vegetation removal and earth disturbance needed to accommodate additional burial plots. The Carrari property would continue ongoing cultivation and livestock grazing operations on their 1,835.5 acre property adjacent to the Cemetery. The exchange of less than one acre of non-prime cultivated land for the same acreage of rangeland (transferred from the Cemetery) would not alter the long-term viability of agricultural operations either onsite or on neighboring properties. In summary, the project is in the public interest because it benefits the public cemetery by providing more suitable land for cemetery purposes (level topography, lack of native vegetation) without adversely affecting long-term agricultural operations on the Carrari property.

**2. The request is consistent with the Comprehensive Plan, the requirements of the State planning and zoning laws, and this Development Code.**

The request is consistent with the County's Comprehensive Plan including, but not limited to, the Los Alamos Community Plan and the Land Use Element, State planning and zoning laws and the LUDC as discussed in these Findings and in Section 6.0 of the Planning Commission staff report dated July 3, 2017, incorporated herein by reference.

**3. The request is consistent with good zoning and planning practices.**

The project is consistent with good zoning and planning practices as it is consistent with local and state planning regulations, as identified immediately above in these Findings, including but not limited to Finding 2.A.2. The project would retain the historic (since 1888) cemetery use for the community and the acreage to be exchanged to the Cemetery is located within the existing Los Alamos Cemetery District boundaries. The Chair of the Los Alamos Plan Advisory Committee (LAPAC), Chris Wrather, has reviewed the project and visited the site. Mr. Wrather did not have concerns with the project and recommended that no further advisory LAPAC involvement would be needed (email dated 12/13/16). The land exchange would not impact the long-term viability of onsite and nearby agricultural operations. This is good planning as preservation of viable agricultural not only affects direct agricultural production but is also good planning practice given the visual, open space, watershed, wildlife and other benefits that result from maintaining substantial, contiguous acreages of this type of agricultural land.

**B. Additional finding for Comprehensive Plan Amendments.**

**1. If the request is for an amendment to the Comprehensive Plan, then the review authority shall also find that the request is deemed to be in the public interest.**

The project involves a land exchange (swap of 0.90 acres from each parcel to the other) between the Cemetery and Carrari properties. The project is in the public interest because it benefits the public cemetery by providing more suitable land for cemetery purposes (level topography, lack of native vegetation) without adversely affecting long-term agricultural operations on the Carrari property.

**C. Rezone Requirements for Specific Zones (§35.104.080)** The approval of a rezoning to apply one of the zones listed in this Section shall require compliance with the requirements of this Section applicable to the specific zone.

- 1. An application for a rezoning to the DR, MHP, OT-R, C-V, SC, PI, M-RP, M-1, M-2, MU, and PU zones shall include a Preliminary Development Plan or Final Development Plan in compliance with Section 35.82.080 (Development Plans) unless the Commission expressly waives the requirement. Upon approval by the Board of the rezoning and Preliminary or Final Development Plan, the Preliminary or Final Development Plan may be incorporated into the rezoning ordinance.**

The Rezone is limited to removing the PI zone district from the northwest corner of the Cemetery, which is the base of a slope, and revising the lot boundary such that this area will be added to the adjacent Carrari parcel, which is zoned AG-II-100. The 0.90 acre area to be added to the Cemetery and zoned PI is located adjacent to the west end of the Cemetery. This area is currently zoned AG-II-100 and consists of level land, with non-prime agricultural soils. Cemeteries are normally an allowed use with a Land Use Permit in the PI zone district and the existing and proposed Cemetery area and are consistent with the PI zone. However, pursuant to LUDC section 35.10.040.G.1.b, the Los Alamos Cemetery is not actually subject to the provisions of the LUDC, because the Board of Supervisors is the governing body of the Cemetery.

### **3.0 LOT LINE ADJUSTMENT – CHAPTER 21 (LAND DIVISIONS) FINDINGS**

**A. Finding required for all Lot Line Adjustments.** In compliance with Section 21-93 of Chapter 21 (Land Divisions), prior to the approval or conditional approval of an application for a Lot Line Adjustment the review authority shall first make all of the following findings:

- 1. The Lot Line Adjustment is in conformity with the County General Plan and purposes and policies of Chapter 35 of this Code, the Zoning Ordinance of the County of Santa Barbara.**

The Lot Line Adjustment would adjust the property lines between two legal parcels. APN 099-030-020 is 2.52 acres in size and is owned by the Los Alamos Cemetery District and APN 099-030-059 is 1,835.5 acres in size and is owned by the Carrari Family Trust. The Lot Line Adjustment would effectuate a proposed land exchange of 0.90 acres to each parcel between the afore-mentioned property owners.

Therefore, the acreage of both lots would remain the same. The current zoning on the Cemetery parcel is Professional Institutional (PI) with the –LA Overlay and the current zoning on the Carrari property is Agricultural II, 100 acre minimum parcel size (AG-II-100). No development is included as a part of this Lot Line Adjustment.

As discussed in Section 6.0 of the Planning Commission staff report, dated July 3, 2017, and incorporated herein by reference, the proposed project is consistent with the Comprehensive Plan and the Land Use and Development Code. Therefore, this finding can be made.

**2. No parcel involved in the Lot Line Adjustment that conforms to the minimum parcel size of the zone district in which it is located shall become nonconforming as to parcel size as a result of the Lot Line Adjustment.**

The Carrari parcel is zoned AG-II-100. The Lot Line Adjustment would not change the size of either of the parcels involved in the project. The existing Carrari parcel (APN 099-030-059) is 1,835.5 acres in size and the adjusted Carrari parcel would remain 1,835.5 acres. Therefore, the Carrari parcels would continue to be conforming as to the zone district's 100-acre minimum parcel size. The Cemetery parcel is zoned Professional Institutional (PI) with –LA Overlay, which do not include a minimum parcel size. Therefore the 2.52 acre Cemetery parcel is in conformance with the PI and –LA Overlay zones as to parcel size. (The Cemetery parcel in the Lot Line Adjustment case is the northern of the two separate legal parcels comprising the Los Alamos Cemetery). As a result, no lot involved in the Lot Line Adjustment that currently conforms to the minimum parcel size would become non-conforming as a result of the Lot Line Adjustment. Therefore, this finding can be made.

**3. Except as provided herein, all parcels resulting from the Lot Line Adjustment shall meet the minimum parcel size requirement of the zone district in which the parcel is located. A Lot Line Adjustment may be approved that results in nonconforming (as to size) parcels provided that it complies with Subsection a. or b. listed below:**

- a. The Lot Line Adjustment satisfies all of the following requirements:**
  - (1) Four or fewer existing parcels are involved in the adjustment; and**
  - (2) The Lot Line Adjustment shall not result in increased subdivision potential for any affected parcel; and,**
  - (3) The Lot Line Adjustment shall not result in a greater number of residential developable parcels than existed prior to the adjustment. For the purposes of this subsection only, a parcel shall not be deemed residentially developable if the documents reflecting its approval and/or creation identify that: 1) the parcel is not a building site, or 2) the parcel is designated for a non-residential purpose including, but not limited to, well sites, reservoirs and roads. A parcel shall be deemed residentially developable for the purposes of this subsection if it has an existing single family dwelling constructed pursuant to a valid**

**County permit.**

**Otherwise, to be deemed a residentially developable parcel for the purposes of this subsection only, existing and proposed parcels shall satisfy all of the following criteria as set forth in the County Comprehensive Plan and zoning and building ordinances:**

- (1) Water supply. The parcel shall have adequate water resources to serve the estimated interior and exterior needs for residential development as follows: 1) a letter of service from the appropriate district or company shall document that adequate water service is available to the parcel and that such service is in compliance with the Company's Domestic Water Supply Permit; or 2) a County approved onsite or offsite well or shared water system serving the parcel that meets the applicable water well requirements of the County Environmental Health Services.**
- (2) Sewage disposal. The parcel is served by a public sewer system and a letter of available service can be obtained from the appropriate public sewer district. A parcel to be served by a private sewage disposal (septic) system shall meet all applicable County requirements for permitting and installation, including percolation tests, as determined by Environmental Health Services.**
- (3) Access. The parcel is currently served by an existing private road meeting applicable fire agency roadway standards that connects to a public road or right-of-way easement, or can establish legal access to a public road or right-of-way easement meeting applicable fire agency roadway standards.**
- (4) Slope stability. Development of the parcel including infrastructure avoids slopes of 30 percent and greater.**
- (5) Agriculture viability. Development of the parcel shall not threaten or impair agricultural viability on productive agriculture lands within or adjacent to the property.**
- (6) Environmentally sensitive habitat. Development of the parcel avoids or minimizes impacts where appropriate to environmentally sensitive habitat and buffer areas, and riparian corridor and buffer areas.**
- (7) Hazards. Development of the parcel shall not result in a hazard to life and property. Potential hazards include, but are not limited to flood, geologic and fire.**

- (8) Consistency with Comprehensive Plan and Development Code. Development of the parcel is consistent with the setback, lot coverage and parking requirements of the zoning ordinance and consistent with the Comprehensive Plan and the public health, safety and welfare of the community.**

**To provide notification to existing and subsequent property owners when a finding is made that the parcel(s) is deemed not to be residentially developable, a statement of this finding shall be recorded concurrently with the deed of the parcel, pursuant to Sec. 21-92 Procedures.**

- b. The parcels involved in the adjustment are within the boundaries of an Official Map for the Naples Townsite adopted by the County pursuant to Government Code Section 66499.50 *et seq.* and the subject of an approved development agreement that sets forth the standards of approval to be applied to Lot Line Adjustments of existing adjacent parcels within the boundaries of the Naples Townsite Official Map. This exception provision shall expire five years after its effective date, October 12, 2000, unless otherwise extended.**

The Lot Line Adjustment will not increase the number of residential developable parcels or result in changes to existing water supplies (private well water), wastewater treatment (septic systems), or access (Drum Canyon road, Highway 135 and Santa Rita Road).

As discussed in Finding 3.A.2 above and Section 6.3 of the staff report dated July 3, 2017, incorporated herein by reference, the Lot Line Adjustment would not alter the existing acreages of either parcel.

Because the PI zoning for the Cemetery property has no minimum parcel size standard and the Carrari AG-II-100 zoning has a minimum parcel size of 100-acre, both adjusted parcels will conform to the minimum parcel size of the zone district in which the parcels are located, consistent with this finding (3.A.3.a). Therefore, it is not necessary to address criteria (1) – (8) above or the requirement to notify owners that the parcel(s) are not residentially developable. Further, Section 3.A.3.b above is not applicable to the project, as the project is not located within the boundaries of the Official Map for the Naples Townsite.

**4. The Lot Line Adjustment will not increase any violation of parcel width, setback, lot coverage, parking or other similar requirement of the applicable zone district or make an existing violation more onerous.**

As discussed in Section 6.3 of the staff report dated July 3, 2017, incorporated herein by reference, the Cemetery property is not subject to the LUDC provisions. However, the Lot Line Adjustment will not result in a violation of parcel width, setback, lot coverage, parking, or other requirement of the Land Use and Development Code, including the specific requirements of the PI, AG-II-100, or –LA Overlay zones and there are no zoning violations on either parcel. Therefore, this finding can be made.

**5. The subject properties are in compliance with all laws, rules and regulations pertaining to zoning uses, setbacks and any other applicable provisions of this Article or the Lot Line Adjustment has been conditioned to require compliance with such rules and regulations and such zoning violation fees imposed pursuant to applicable law have been paid. This finding shall not be interpreted to impose new requirements on legal non-conforming uses and structures under the respective County Ordinances: Land Use and Development Code (Section 35.101.20 and 35.101.30).**

As discussed in Section 6.3 of the staff report dated July 3, 2017, incorporated herein by reference, both of the existing lots are in compliance with all laws, rules and regulations pertaining to zoning uses, setbacks, and other applicable provisions of the Land Use and Development Code and there are no zoning violations on either parcel. Therefore this finding can be made.

**6. Conditions have been imposed to facilitate the relocation of existing utilities, infrastructure and easements.**

No existing utilities, infrastructure or easements will need to be relocated to accommodate the Lot Line Adjustment. Therefore this finding can be made.



**B. Additional findings required for sites within an agricultural preserve.** In compliance with Section 21-93 of Chapter 21 (Subdivision Regulations) and the Uniform Rules for Agricultural Preserves and Farmland Security Zones, prior to the approval or conditional approval of an application for a Lot Line Adjustment proposed on agricultural zoned lots subject to an Agricultural Preserve Contract in compliance with the County Uniform Rules for Agricultural Preserves and Farmland Security Zones the review authority shall first make all the following findings:

**1. The Lot Line Adjustment shall comply with all the findings for Lot Line Adjustments in Section 21-93.a.**

As discussed in Finding 2.1 and Section 6.6 of the staff report dated July 3, 2017, incorporated herein by reference, the proposed project complies with all the findings for Lot Line Adjustments in Chapter 21. Therefore this finding can be made.

**2. The new contract or contracts would enforceably restrict the adjusted boundaries of the parcel for an initial term for at least as long as the unexpired term of the rescinded contract or contracts, but for not less than 10 years.**

The size and shape of the parcels under contract will change upon recordation of the lot line adjustment. Therefore, a Replacement Contract would need to be submitted prior to recordation. All Agricultural Preserve Contracts have a rolling 10 year term. As a condition of approval (Condition No. 3) the replacement contract shall be processed prior to recordation of the Lot Line Adjustment documents.

**3. There is no net decrease in the amount of the acreage restricted. In cases where two parcels involved in a lot line adjustment are both subject to contracts rescinded pursuant to this section, this finding will be satisfied if the aggregate acreage of the land restricted by the new contracts is at least as great as the aggregate acreage restricted by the rescinded contracts.**

The proposed Lot Line Adjustment would transfer an equivalent amount of acreage between lots, but the total acreage under contract would remain the same. No new development is proposed and the Cemetery and agricultural uses would continue. The landowner proposes to have a replacement contract in order to reflect changes to the exterior parcel boundaries. Condition of approval No. 3 requires the replacement contract. Therefore, this finding can be made.

**4. At least 90 percent of the land under the former contract or contracts remains under the new contract or contracts.**

The 1,835.5 acre Carrari parcel that is under contract would have a Replacement Contract following approval of the Lot Line Adjustment. The Replacement Contract would have the same acreage and more than 90 percent of the former land under contract would remain in the Replacement Contract. The only change to the acreage covered by the contract is the 0.90 acres of the Carrari parcel that will be swapped with 0.90 acres of the Cemetery parcel. Therefore, this finding can be made.

**5. After the lot line adjustment, the parcels of land subject to contract will be large enough to sustain their agricultural use.**

There would be no substantive change in the existing commercial agricultural operations on the Carrari agricultural zoned parcel as a result of the Lot Line Adjustment, which will exchange 0.90 acres to/from the Carrari and Cemetery parcels. The Agricultural Preserve Advisory Committee reviewed the proposed Lot Line Adjustment and determined that the Lot Line Adjustment is consistent with the Uniform Rules, specifically 1-3. Therefore, this finding can be made.

**6. The lot line adjustment would not compromise the long-term agricultural productivity of the parcel or other agricultural lands subject to a contract or contracts.**

The project would not compromise the long-term productivity of the Carrari parcel or other agricultural lands, as the project would not have a substantive effect on existing cultivation and livestock grazing operations on the project parcels or other nearby agricultural lands. Therefore, this finding can be made.

**7. The lot line adjustment is not likely to result in the removal of adjacent land from agricultural use.**

See discussion of Finding 3.B.4 through 3.B.6 above, incorporated herein by reference. Existing agricultural operations on the Carrari parcel include livestock grazing and cultivation of a variety of crops including, but not limited to, squash, tomatillos, cucumbers and flowers. Livestock grazing and cultivated agriculture also occur on the adjacent Carrari parcels to the north. Livestock grazing and cultivated agriculture would continue on the adjusted Carrari parcel (and adjacent Carrari parcels). In addition, on December 2, 2016, the APAC reviewed the proposed Lot Line Adjustment and concluded that the project is consistent with the Uniform Rules, specifically 1-3. Therefore, this finding can be made.

**8. The lot line adjustment does not result in a greater number of developable parcels than existed prior to the adjustment, or an adjusted lot that is inconsistent with the Comprehensive Plan.**

No increase in developable parcels will occur upon approval of the adjustment. Two developable parcels exist prior to the adjustment and two developable parcels would exist after the adjustment. Therefore, this finding can be made.

**4.0 LOT LINE ADJUSTMENT – COUNTY LAND USE AND DEVELOPMENT CODE FINDINGS**

**A. Finding required for all Lot Line Adjustments.** In compliance with Subsection 35.30.110.B of the County Land Use and Development Code, prior to the approval or conditional approval of an application for a Lot Line Adjustment the review authority shall first make all of the following findings:

**1. The Lot Line Adjustment is in conformity with the County General Plan and purposes and policies of Chapter 35 of this Code, the Zoning Ordinance of the County of Santa Barbara.**

The Lot Line Adjustment involves two legal lots of 2.52 acres (APN 099-030-020) and 1,835.5 acres (APN 099-030-059). The lot line adjustment effectuates a land exchange between the Los Alamos Cemetery District and the Carrari Family Trust properties. The land exchanged pursuant to the lot line adjustment involves 0.9 acres of each of these legal parcels. The project includes companion General Plan Amendment and Rezone requests (16GPA-00000-00002 and 16RZN-00000-00003, respectively). These legislative requests reflect the land exchange between the cemetery and agricultural properties. Specifically, the General Plan Amendment (GPA) would amend the Los Alamos Community Plan Boundary and the Urban and Rural Boundaries. In addition, the GPA will amend the existing “Agricultural Commercial” and “Cemetery” General Plan Land Use Designation boundaries created by the land exchange. The Rezone would similarly change the zoning (Professional Institutional, -LA Overlay and Agriculture II, 100-acre minimum parcel size) to follow the reconfigured parcels. There is no development existing or approved in the areas affected by the land exchange and the Lot Line Adjustment would not cause any existing development to become non-compliant with the applicable zoning requirements, and there would be no increase of any violation of parcel width, setback, lot coverage parking or similar requirement of these zone district. No development, including grading or tree removal is included as a part of this Lot Line Adjustment. As discussed in Section 6.0 of the Planning Commission staff report, dated July 3, 2017, and incorporated herein by reference, the proposed project is consistent with the Comprehensive Plan and the Land Use and Development Code. Therefore, this finding can be made.

**2. Minimum Lot Area.**

- a. No lot involved in the Lot Line Adjustment whose area is equal to or greater than the minimum lot area requirement of the applicable zone shall become smaller than the minimum lot area requirement of the applicable zone as a result of the Lot Line Adjustment.**

The Carrari parcel is zoned AG-II-100. The Lot Line Adjustment would not change the size of either of the parcels involved in the project. The existing Carrari parcel (APN 099-030-059) is 1,835.5 acres in size and the adjusted Carrari parcel would remain 1,835.5 acres. Therefore, the Carrari parcels would continue to be conforming as to the zone district's 100-acre minimum parcel size. The Cemetery parcel is zoned Professional Institutional (PI) with –LA Overlay and these zones do not have a minimum parcel size. Therefore the 2.52 acre Cemetery parcel is in conformance with the PI and –LA Overlay zones as to parcel size. (The Cemetery parcel in the Lot Line Adjustment case is the northern of the two separate legal parcels comprising the Los Alamos Cemetery). As a result, no lot involved in the Lot Line Adjustment whose area is equal to or greater than the minimum lot area requirement of the applicable zone will become smaller than the minimum lot area requirement of the applicable zone as a result of the Lot Line Adjustment. Therefore, this finding can be made.

- 3. Except as provided in this Section, all lots resulting from the Lot Line Adjustment shall comply with the minimum lot area requirements of the applicable zone. A Lot Line Adjustment may be approved that results in one or more lots that are smaller than the minimum lot area requirement of the applicable zone provided that it complies with all of the following requirements.**
- a. The Lot Line Adjustment shall not result in increased subdivision potential for any lot involved in the lot line adjustment.**
- b. The Lot Line Adjustment will not result in a greater number of residential developable lots than existed prior to the adjustment. For the purposes of this Subsection B.3 only, a lot shall not be deemed residentially developable if the documents reflecting its approval and/or creation identify that, 1) the lot is not a building site, or 2) the lot is designated for a non-residential purpose including well sites, reservoirs and roads. A lot shall be deemed residentially developable for the purposes of this Subsection B.3 if it has an existing one-family dwelling constructed in compliance with a valid County permit, or existing and proposed lots comply with all of the following criteria.**
- (1) Water supply. The lot shall have adequate water resources to serve the estimated interior and exterior needs for residential development as follows: 1) a letter of service from the appropriate district or mutual water company shall document that adequate**

**water service is available to the lot and that the service complies with the company's Domestic Water Supply Permit, or 2) a Public Health Department or State approved water system.**

- (2) Sewage disposal. The lot is served by a public sewer system and a letter of available service can be obtained from the appropriate district. A lot to be served by an onsite wastewater treatment system shall meet all applicable County requirements for permitting and installation, including percolation tests, as determined by the Public Health Department.**
- (3) Access. The lot is currently served by an existing private road meeting applicable fire agency roadway standards that connects to a public road or right-of-way easement, or can establish legal access to a public road or right-of-way easement meeting applicable fire agency roadway standards.**
- (4) Slope stability. Development of the lot including infrastructure avoids slopes of 30 percent and greater.**
- (5) Agriculture viability. Development of the lot shall not threaten or impair agricultural viability on productive agriculture lands within or adjacent to the lot.**
- (6) Environmentally sensitive habitat. Development of the lot avoids or minimizes impacts where appropriate to environmentally sensitive habitat and buffer areas, and riparian corridor and buffer areas.**
- (7) Hazards. Development of the lot shall not result in a hazard to life and property. Potential hazards include, flood, geologic and fire.**
- (8) Consistency with Comprehensive Plan and Development Code. Development of the lot is consistent with the setback, lot coverage and parking requirements of the Development Code and consistent with the Comprehensive Plan and the public health, safety and welfare of the community.**

**To provide notification to existing and subsequent property owners when a finding is made that a lot is deemed not to be residentially developable, a statement of this finding shall be recorded concurrently with the deed of the lot, in compliance with County Code Section 21-92 (Procedures).**

As discussed in Findings 3.A.3 and 4.A.2 above and Section 6.3 of the staff report dated July 3, 2017, incorporated herein by reference, the Lot Line Adjustment would not alter the existing acreages of either parcel and both parcels will continue to meet the minimum parcel size requirement of the zone district in which the parcels are located. Therefore, this finding can be made and subsections "a" and "b" of this finding do not apply.

**4. The Lot Line Adjustment will not increase any violation of parcel width, setback, lot coverage, parking or other similar requirement of the applicable zone district or make an existing violation more onerous.**

As discussed in Section 6.3 of the staff report dated July 3, 2017, incorporated herein by reference, the Lot Line Adjustment would not result in a violation of parcel width, setback, lot coverage, parking, or other requirement of the Land Use and Development Code, including the specific requirements of the AG-II-320 zone district, and there are no zoning violations on either parcel, the Lot Line Adjustment does not have the potential to make any existing violations more onerous. Therefore, this finding can be made.

**5. The subject properties are in compliance with all laws, rules and regulations pertaining to zoning uses, setbacks and any other applicable provisions of this Article or the Lot Line Adjustment has been conditioned to require compliance with such rules and regulations and such zoning violation fees imposed pursuant to applicable law have been paid. This finding shall not be interpreted to impose new requirements on legal non-conforming uses and structures under the respective County Ordinances: Land Use and Development Code (Section 35.101.20 and 35.101.30).**

As discussed in Section 6.3 of the staff report dated July 3, 2017, incorporated herein by reference, both of the existing lots are in compliance with all laws, rules and regulations pertaining to zoning uses, setbacks, and other applicable provisions of the Land Use and Development Code and there are no zoning violations on the subject parcels. Therefore this finding can be made.

**6. Conditions have been imposed to facilitate the relocation of existing utilities, infrastructure and easements.**

No existing utilities, infrastructure or easements will need to be relocated to accommodate the lot line adjustment. Therefore this finding can be made.

