



Technical Advisory Committee  
Meeting Date: September 6, 2017  
Department: Planning Local  
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## **CERTIFICATE OF COMPLIANCE # 17-08; PETTINGER**

### **Requested Action(s)**

#### **RECOMENDATION**

Staff recommends that the Technical Advisory Committee take the following actions:

1. Acknowledge that the proposed action is a ministerial project exempt from the requirements of CEQA, pursuant to Section 15268 and Public Resource Code Section 21080 (b)(1)).
2. Move to approve and authorize the filing of a Certificate of Compliance for one (1) 67.24 acre parcel pursuant to GC 66499.35 (a).

#### **Background Information:**

The property owners are requesting five (5) Certificate of Compliances on 67.24 acres that are described in one deed and currently identified by Tax Area Assessor Parcel Numbers: 063-140-054 (Deed description of Parcel-A;5.01 Acres), 063-140-055 (Deed description of Parcel-B;5.01 Acres), 063-140-56 (Deed description of Parcel-C;5.01 Acres), 063-140-057 (Deed description of Parcel-D ;5.01 Acres) and 063-140-058 (Deed description of Parcel-Remainder Parcel;47.20 Acres). Portions of the project contain different forms of development and/or improvements (See Attachment G, COC Plot Plan's with Legal Descriptions). While some development has taken place within the project boundaries, the individual properties have not been conveyed by a grant deed from one party to a bona fide purchaser or second party not related to the family. Rather it appears that historically the 67.24 acres, while described as multiple parcels, has always been conveyed in bulk in a single deed from one property owner to the next. Furthermore, it is clear that since ordinance 577 was in effect at the time the Planning Department/Planning Director purported to approve the Lot Line Adjustment and Merger 99-8 for recording, the act of approval violated the State Map Act and Local Ordinance and the lot line adjustment did not result in the creation of 5 lots Since a certificate of compliance cannot be used at this time to create a division of the property, the property owner's option is to pursue a subdivision of their property either by way of a parcel map (for 4 or less parcels) or a full subdivision to create 5 or more lots.)