



Big Bear GRIZZLY

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Lot line adjustment in abeyance
By HILARY NUTTING

Greg Schick wants to move the property line on two lots he owns, a change he says would bring the lots closer to one another in size and release the smaller from its landlocked condition. But the city of Big Bear Lake has a problem with Schick's plans. Rare and endangered plant species, specifically, the bird-footed checkerbloom, ash-gray Indian paintbrush and Southern mountain buckwheat, call the property home.

Big Bear Lake properties are regulated through the city's general plan and the California Environmental Quality Act, the state's system of checks and balances for land-use development and management decisions. Schick has owned the property for a number of years and is building a home there. He started the lot line adjustment process in 2001, but moving the line has not been an easy task.

Schick says he's being treated unfairly by the city. "They've been stringing it out for about five years as different groups have tried to steal the property, including the city," Schick said.

The city offered to buy the property from Schick in 2002 for \$75,000.

"They're trying to make me give it to them," Schick said. "I don't think five years is treating anybody fairly."

When Schick first applied for the adjustment, city staff determined the adjustment had the potential to create significant environmental impacts but that those impacts could be mitigated to levels of insignificance. In September 2004, a mitigated negative declaration was prepared and made available for public review. The negative declaration meant Schick could move the lot line if he met certain conditions.

However, during the review period the city received letters from the California Department of Fish and Game, Center for Biological Diversity and San Bernardino Valley Audubon Society regarding the endangered plant species on Schick's lots. The organizations wrote that more mitigation was required than called for in the initial study.

On Sept. 24, 2004, Schick's attorney wrote a letter to the city on behalf of his client stating the proposed mitigation was unconstitutional without compensation to the property owner. Ultimately, the city denied Schick's application due to the need for further environmental review.

Schick appealed the decision to the city of Big Bear Lake Planning Commission. The commission also denied Schick's application after Schick found proposed mitigation measures unacceptable.

Since then, Schick has appealed the decision, first to the Planning Commission,

who on Aug. 3 again denied Schick's lot line adjustment application, deeming it inconsistent with the city's general plan and for failure to comply with CEQA.

At the Sept. 12 City Council meeting, Schick received another answer: abeyance.

Schick asked the council to send the application back to the Planning Commission for approval with the caveat that the property be subject to CEQA at the time of any future development. But the council passed a resolution requiring city staff to prepare a revised environmental study, revisiting the rare plant species issues once again, in effect a do-over.

The problem with approving the lot-line change as is, City Manager Michael Perry said, is if the council approves the subdivision, Schick would be able to "sell a lakefront lot that he does not have today to another private individual. That buyer could then come to the city and pull a building permit and the city may never be able to put any further conditions on the parcel."