

CHAPTER 10

LOT LINE ADJUSTMENTS

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ARTICLE 1. GENERAL PROVISIONS

SECTION 7124. PURPOSE OF CHAPTER

The purpose of this Chapter is to set forth the County's requirements and procedures for lot line adjustments. All lot line adjustments, as defined in Section 7008, are subject to approval by the County pursuant to this Chapter consistent with Section 66412(d) of the Map Act.

ARTICLE 2. REQUIREMENTS FOR LOT LINE ADJUSTMENTS

SECTION 7125. APPLICATION REQUIREMENTS; FORM AND CONTENT

1. Application Requirements

Applications for review and approval of lot line adjustments shall be filed with the Planning and Building Department. The application shall include the following:

a. Lot Line Adjustment Site Plan

Five (5) copies of a site plan showing the proposed lot line adjustment prepared in accordance with Section 7125.2. In addition, one reduced (8 1/2" x 11") copy of the site plan shall be submitted. In addition, a site plan shall be submitted in a digitized format.

b. Application Form

A completed application form as required by the Community Development Director.

c. Environmental Information Disclosure Form

A completed Environmental Information Disclosure Form, available from the Planning Division.

d. Title Report

A preliminary title report of each parcel involved showing the legal owners at the time of filing the lot line adjustment application, and all easements, encumbrances, and other reservations of record affecting the property.

e. Owner's Concurrence

Proof of the owners interest in the property and concurrence with the application for lot line adjustment.

f. Parcel Legality

Evidence, as required by the Community Development Director, that the lots involved have been legally created.

g. Fees

The fees for processing the lot line adjustment application, in accordance with the most recent Planning Service Fee Schedule adopted by the Board of Supervisors.

2. Form and Content Requirements for Lot Line Adjustment Site Plans

The lot line adjustment site plan shall meet the following requirements for form and content:

- a. Not less than 8.5 x 11 inches in size, drawn in ink (or blueprint) to an accurate scale;
- b. Existing property lines shown as solid lines, proposed property lines as dashed lines;
- c. Existing easements, identified by their recording data;
- d. Date of map preparation, scale of map and north arrow included;
- e. Existing and proposed area of each parcel given in square feet if less than one acre, in acres if one acre or larger;
- f. Location of existing structures and driveways shown, as well as the location of potential building sites and driveways;
- g. Location of any septic tanks, drainfields and expansion areas, and the location of any water wells and related water lines shown;
- h. Contour lines shown at no more than ten (10) foot intervals;
- i. Assessor's parcel numbers and the names of all property owners for all parcels involved;
- j. Name and address of preparer of site plan.

3. Special Requirements

- a. Where the average slope of the property involved in a lot line adjustment exceeds twenty percent (20%), a Negative Declaration fee shall also be collected at the time of application.
- b. For all lot line adjustments within the Coastal Zone, the filing of a Coastal Development Permit Application and fee is required.
- c. For all lot line adjustments proposed within the Planned Agricultural District (PAD), a Planned Agricultural Permit application will also be required.

SECTION 7126. CRITERIA AND PROCEDURE FOR REVIEW OF LOT LINE ADJUSTMENT APPLICATION

1. Criteria for Review of Lot Line Adjustment

Review of a lot line adjustment application shall include a determination of whether or not the parcels resulting from the lot line adjustment conform to the County General Plan and any applicable specific plan, the Local Coastal Program, and County zoning and building regulations. For example, a lot line adjustment application shall be evaluated with regard to the following criteria:

- a. Conformity with applicable General Plan, specific plan, LCP, and Zoning and Building Regulations, although existing legal non-conforming situations may continue provided they are not aggravated by the lot line adjustment;
- b. Suitability of building sites created by the lot line adjustment;
- c. Provision for adequate routine and emergency access;
- d. Provision for adequate water supply and sewage disposal.;
- e. Avoiding or minimizing impacts upon scenic corridors, wetlands, coastal resources, or authorized coastal development.

2. Transmittal to Other Agencies for Comment

Once the application for a lot line adjustment is accepted by the Planning and Building Department, the Community Development Director will forward copies of the site plan and any relevant accompanying data and reports to other affected public agencies including the Departments of Public Works and Environmental Health, and each fire, utility and sanitation district having jurisdiction over the subject property. These agencies will be asked to review the lot line adjustment application and, within thirty (30) days, return their comments and any recommended conditions in writing.

3. Determination of Completeness

Within thirty (30) days of application submittal, the Community Development Director shall notify the applicant in writing if the application is complete, or if additional information is required. Acceptance of the application as complete shall not preclude the County from requesting that any information submitted be clarified, amplified, corrected, or supplemented if necessary to determine compliance with State law or County regulations, nor does it signify that the map complies fully with the Subdivision Regulations.

4. Environmental Review

The Community Development Director will review the application, including the Environmental Information Form, to determine if the project is exempt from CEQA. If the project is not exempt, an initial study will be conducted to determine whether a negative declaration may be issued or an Environmental Impact Report (EIR) will be required. Upon making this determination, the appropriate environmental document will be prepared as prescribed in the County's CEQA Implementing Procedures.

ARTICLE 3. PROCEDURE AND CRITERIA FOR ACTION ON LOT LINE ADJUSTMENT APPLICATION

SECTION 7127. NOTIFICATION AND DECISION BY COMMUNITY DEVELOPMENT DIRECTOR

1. Community Development Director to Act on Lot Line Adjustment Application

The Community Development Director has the authority to approve or deny a lot line adjustment application in accordance with this Chapter, except as provided in Section 7007.2.

2. Notification of Adjacent Property Owners

Owners of properties adjacent to parcels involved in the lot line adjustment, and owners of properties adjacent to any private road serving the properties involved in the lot line adjustment shall be notified of the application for lot line adjustment at least ten (10) days prior to action on the application by the Community Development Director.

3. Criteria for Decision by Community Development Director

Upon receipt of any recommendations from other agencies and/or comments from the public, and upon completion of the Community Development Director's analysis of the application, the Community Development Director shall render a decision on the lot line adjustment application. If the Community Development Director determines that the parcels resulting from the adjustment will meet the

criteria set forth in Section 7126.1, the application shall be approved. A letter of decision shall be sent, informing the applicant of the Community Development Director's decision and of the right of appeal in accordance with Section 7013.4.

SECTION 7128. CONDITIONS

1. Standard Condition for All Lot Line Adjustments

a. For Parcels of Record Involving Parallel Line Adjustments Only

For parcels of record that involve only parallel line adjustments, the applicant will be required to submit legal deeds for the property to be transferred, completely signed and ready to record, and written legal descriptions of the entire new configuration of all parcels involved in the lot line adjustment. The deeds and legal descriptions reflecting the approved lot line adjustment shall be reviewed by the Department of Public Works prior to being filed for record with the County Recorder.

b. For Parcels Not of Record, Acreage, and Multi-Directional Adjustments

In accordance with Section 8762 of the State Business and Professions Code, for parcels not of record, acreage and lot line adjustments involving multi-directional adjustments, the applicant will be required to submit a Record of Survey map and numerical closure sheets for all parcels, in addition to the deeds and legal descriptions to be recorded as specified in Section 7128.1a, above.

c. Parcel Map Optional

For those lot line adjustments described in Section 7128.1b, above, the applicant has the option to record a parcel map in accordance with Article 3, Chapter 2 of the Subdivision Regulations, in lieu of submitting the items specified in Section 7128.1b. However, no parcel map, final map, or tentative map shall be required as a condition to the approval of a lot line adjustment that has obtained all other required approvals.

2. Other Conditions

When approving a lot line adjustment, the Community Development Director may impose conditions to ensure conformance with the Zoning or Building Regulations, or this Chapter, or which would facilitate the relocation of existing utilities, infrastructure, or easements.

3. Conditions of Approval to be Satisfied Prior to Recording of Deeds and Legal Descriptions

The deeds and legal descriptions shall not be recorded until all conditions of approval have been met or bonded for as appropriate. The Planning and Building department shall charge a recording fee, as set forth in the most recent fee schedule adopted by the Board of Supervisors, and record the deed and the lot line adjustment.