

Chapter 16.32

LOT LINE ADJUSTMENTS AND MERGERS

(Ord. 1162, 1995)

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Sec. 16.32.010 Purpose

The purpose of this chapter is to establish procedures for approval of lot line adjustments, including mergers by lot line adjustment. Nothing stated herein shall be construed to prevent the filing of a tentative map, a final map, parcel map or record of survey for any lot line adjustment or merger.

A Lot Line Adjustment is to be used to make adjustments in a lot line between adjacent parcels having a common boundary line, to create more logical boundaries, or to resolve existing ownership conflicts. All lot line adjustments must also be consistent with the provisions of Section 66412(d) of the California Government Code (State Subdivision Map Act).

Sec. 16.32.020 Application Requirements

An application for a minor or major lot line adjustment, including a merger, shall be in writing and shall be filed in the Planning Department office upon forms provided by the Planning Director. Each application shall include a preliminary title report, agent's authorization (if applicable); a map drawn to scale of 1" = 100', unless a different size is approved by the County Surveyor, (number of copies to be determined by Planning Director), names and addresses of the affected owners, north arrow and scale, location and boundaries of the existing lots, the boundaries and dimensions of the proposed new lot configurations, and a legal description of the redesigned lots, which shall be prepared by a licensed land surveyor. The application shall also include sufficient information to adequately describe the property and improvements thereon including: existing buildings, structures, sewage disposal systems, utilities and roads; the present use and zoning of the property; location and extent of public improvements; and such additional information necessary to describe and evaluate the proposal.

Sec. 16.32.030 Fees

The application for a lot line adjustment shall be accompanied by a filing fee as established in the County Fee Resolution.

Sec. 16.32.040 Authority to Approve

The Planning Director shall have the authority to approve mergers and minor lot line adjustments, and the Advisory Agency shall have the authority to approve major lot line adjustments, each following review and comment by the Health Department, County Surveyor, Department of Transportation, Fire Chief's representative, Planning Commissioner representing the area affected by the lot line adjustment, and other agencies which the Planning Director determines may be affected by the action. After the application is deemed complete, each agency shall have a maximum of fifteen (15) days to submit their comments.

Sec. 16.32.050 Hearing Requirements

No hearing shall be required for a minor lot line adjustment.

A public hearing shall be conducted by the Advisory Agency or other duly authorized authority for Major Lot Line Adjustments. Notice of the hearing shall be published in a newspaper of general circulation at least ten (10) days prior to the hearing. In addition, all persons owning property within three hundred (300) feet of the proposed lot line adjustment or merger shall be sent written notice of the hearing by mail or other means at least ten (10) days prior to the hearing.

Sec. 16.32.060 Conditions of Approval

The Advisory Agency, other duly authorized body or the Planning Director may approve or conditionally approve a lot line adjustment or merger or may disapprove the proposed lot line adjustment if it will conflict with the County Zoning Ordinance, Building Ordinance or State law.

All lot line adjustment approvals shall include, but not be limited to, the following conditions of approval:

- a. Individual parcels resulting from the lot line adjustment shall have financing which has the same legal description as the redesigned lots.
- b. All real property taxes which are a lien on the property shall be paid, as provided by law, prior to recordation of the deed(s). A certificate from the Tax Collector's Office, valid for a maximum of sixty (60) days, shall be provided to the Planning Director prior to recording the "Notice of Lot Line Adjustment".

Sec. 16.32.061 Notice of Approval

Following approval of a lot line adjustment or merger by lot line adjustment, and compliance with the conditions of approval, the Planning Director shall prepare a "Notice of Lot Line Adjustment" or a "Notice of Merger by Lot Line Adjustment" for recordation with the County Recorder. The Notice shall include the following: owners of record; legal description(s) of reconfigured lot(s), prepared by a licensed land surveyor; notarized signatures of land owners for each affected parcel; date of approval; Planning Department file number, and Planning Director's signature. Recordation of the "Notice of Lot Line Adjustment" and recordation of the deeds will complete the lot line adjustment of the affected parcels. Deeds shall be reviewed and approved by the County Surveyor prior to recordation.

Sec. 16.32.062 Termination of Proceedings

Failure to meet all conditions of approval, and submit documentation to the Planning Department necessary to file the "Notice of Lot Line Adjustment" within twenty-four (24) months of the date of approval or conditional approval of a lot line adjustment shall terminate all proceedings, unless a time extension is granted.

Sec. 16.32.063 Time Extension

The Advisory Agency, or their designee, may grant one extension of time up to but not exceeding twelve (12) months beyond the twenty-four (24) months allowed for completing the Lot Line Adjustment. Request for time extension shall be made, in writing, to the Advisory Agency not less than thirty (30) days prior to the expiration of the Lot Line Adjustment.