

Lot Line Adjustment

PJR-030

DESCRIPTION:

A Lot Line Adjustment (LLA) is a realignment of boundary lines between two to four existing legal parcels (per Section 66412 of the Subdivision Map Act), where the land taken from one parcel is added to an adjacent parcel. This process is undertaken when the owner(s) of adjacent lots or parcels desire to change the shape, size, and/or location of the parcels.

Please Note: If historic parcels exist on any portions of the properties involved in the LLA, then the owner must provide documentation of their legal creation in order to retain them as separate parcels. The Permit and Resource Management Department (PRMD) may require Administrative Certificates of Compliance to verify that the parcels are separate legal parcels prior to accepting or processing the LLA application. **Failure to document historic parcels will result in permanent merger of the parcels as a part of the recordation of the LLA.**

There are two types of applications which may be made to reconfigure existing lots or parcels:

Minor Lot Line Adjustment: A request for a LLA shall be deemed minor only if **all** of the following statements are true:

1. No parcel is completely relocated;
2. No parcel is reduced in size by more than 30% or enlarged by more than 100%;
3. No existing parcel is subject to merger or otherwise undevelopable; and
4. The adjustment is not subject to the California Environmental Quality Act, (CEQA) pursuant to Section 25-70.2 of the Subdivision Ordinance.

Major Lot Line Adjustment: A request for a LLA shall be deemed major, unless exempted by the Director of PRMD, if **any** of the following statements are true:

1. A parcel is completely relocated;
2. A parcel is reduced in size by more than 30% or enlarged by more than 100%;
3. An existing parcel is subject to merger or otherwise undevelopable;
4. The adjustment is subject to the California Environmental Quality Act (CEQA), pursuant to Section 25-70.2 of the Subdivision Ordinance.

A Lot Line Adjustment shall be subject to CEQA if either of the following is true:

1. The adjustment has possible impacts, or increases the potential for impacts on a sensitive or protected environment, or an area with environmental hazards such as hazardous waste sites designated under Government Code Section 65962.5; or
2. The adjustment involves parcels which have undergone a LLA in the previous two years, and another adjustment could result in cumulative or significant impacts.

CRITERIA:

LLA approval criteria are located in the Sonoma County Subdivision Ordinance (Chapter 25, Sec. 25-70.5). Decisions on LLAs shall be based upon a determination of whether or not the resulting parcels will conform with the General Plan, the Local Coastal Plan (if applicable), zoning and building ordinances. No LLA shall result in increased subdivision potential for any affected parcel (Section 26-88-190(a)(1)) unless the applicant(s) agree to a condition of approval to restrict subdivision potential through a rezoning to a more restrictive zoning designation; either a B7 (Frozen Parcel Size) combining district or lower density designation (Sec. 25-70.5(f)).

No LLA shall result in a greater number of developable parcels than existed prior to the adjustment (Section 26-88-190(a)(2)). A parcel shall be considered developable if it meets all of the following criteria:

1. The parcel has legal access to a public road or right-of-way, or is served by an existing private road that connects to a public road or right-of-way.
2. The parcel is served by public sewer, or the parcel, as determined by PRMD, is likely to meet the criteria for approval of an on-site septic sewage disposal system for a one bedroom residence without the use of an off-site easement.
3. For parcels which are less than 25 acres, the parcel is served by public water supply, or the parcel is located in a groundwater availability area 1,2 or 3. In groundwater availability area 4 (Water Scarce Area) a water supply test shall be required unless the parcel is served by a public water supply.
4. The parcels included in the LLA are already developed with a legal dwelling or a legal dwelling destroyed by a calamity within the last five years.

The following zoning districts are not subject to a determination that existing parcels are developable: CO (Administrative and Professional Office), C1 (Neighborhood Commercial), C2 (Retail Business and Service), C3 (General Commercial), LC (Limited Commercial), K (Recreation and Visitor Serving), MP (Industrial Park), M1 (Limited Urban Industrial), M2 (Heavy Industrial), M3 (Limited Rural Industrial), and PF (Public Facilities).

Lot line adjustments where all resulting parcel sizes comply with the applicable General Plan density and minimum lot size requirements are not subject to a determination that existing parcels are developable.

PROCEDURE:

Once an application is submitted (see Required Application Materials) to PRMD, an information packet is sent to various agencies and departments for comments and recommendations. Minor LLAs are approved administratively if no significant issues arise and the LLA is determined to meet the criteria noted above. A Negative Declaration or Mitigated Negative Declaration will be prepared for Major LLAs under the provisions of the California Environmental Quality Act (CEQA). The Project Review and Advisory Committee (PRAC) will then hold a public hearing to approve or deny the proposed LLA.

The applicant has up to two years to complete the conditions of approved LLAs. The deeds effecting the LLA cannot be recorded until all conditions of approval have been met and PRMD has stamped the deeds as approved. The LLA is completed upon recordation of the approved deeds and return of the "conformed" copies to PRMD.

If necessary, a one year extension of time may be granted from the date of the original approval. A written request and appropriate fees must be submitted to PRMD prior to expiration of the original two year approval. The extension will be processed in the same manner as the original application.

REQUIRED APPLICATION MATERIALS:

Applications for Lot Line Adjustments shall include the following items. **Incomplete applications will not be accepted.**

- 1. **Completed application form**, signed by the applicant and property owner.
- 2. **Proposal Statement**, describing the purpose of the LLA. The proposal statement should also indicate the desired final parcel sizes and include a statement agreeing to voluntarily merge any and all parcels and parcel fragments underlying the final parcel configuration (see Item 7 below for more information).
- 3. **Indemnification agreement**. An separate indemnification agreement must be signed by each property owner.
- 4. **Site Plan**. The site plan **must** be prepared by a licensed land surveyor or a registered civil engineer.

10 Copies of a full sized (24" x 36") and one legible reduced (8½" x 11") site plan which depicts for each parcel:

- The location of existing and proposed boundary lines using easily distinguishable line weights.
 - Existing and proposed parcel sizes.
 - Name, address and telephone number of property owners for each parcel.
 - Scale, north arrow, and dimensions of all property lines. The entire property must be shown; sometimes a vicinity-type inset map can be used to orient the viewer to the proposed LLA area.
 - Location and identification of all existing buildings, structures, etc., including their approximate dimensions and distances to property lines.
 - Location, width, name and status (public or private) of all existing and proposed roads and easements lying within, adjacent to or serving the site, showing route of access from the road.
 - Location of streams, ditches, drainage facilities and other water courses, ponding areas, or areas subject to periodic inundation.
 - Lines indicating the direction of slope and approximate percent of grade.
 - Location of any existing or proposed wells and septic systems including distances to waterways, drainage courses, cut/fill areas, structures and roadways.
 - Location and dimensions of all parking areas and driveways from adjacent roadways.
 - Location of and identification of existing trees or other vegetation in the development area.
- 5. **Title Report(s)**. A current (within the last 6 months) title report or other disclosure setting forth the names and recorded document numbers of all owners and holders of beneficial interests in the parcels to be adjusted. Detailed ownership must be provided, including a full listing of all "et al" owners.

- 6. **Copies of current ownership deeds.**
- 7. **Documentation of the Status of Historic Parcels.** If the property owner believes that historic parcels exist on the property where a LLA is proposed, then those parcels must be indicated on the site plan and evidence of their legal creation must be provided. PRMD may require Administrative Certificates of Compliance to verify that the parcels are separate legal parcels prior to processing the LLA. Failure to document underlying parcels will result in their permanent merger as a part of the recordation of the LLA.
- 8. **Assessor's Parcel Map.** One 8 ½" x 11" copy of the current Assessor's Parcel Map with the project site shown. Maps may be obtained from the County Assessor's Office or PRMD.
- 9. **USGS Quad Map.** Maximum size, 8 ½" x 11", with the site outlined. USGS Quad Maps are available from PRMD, check current fee schedule for cost.
- 10. **Split Zoning.** Where an adjustment is proposed between parcels in different land use or zoning districts, a concurrent application for a General Plan amendment, Specific Plan amendment and Zone Change shall be submitted, as necessary, to ensure district boundaries coincide with the resultant property lines. This requirement may be waived if PRMD finds that the proposed changes are not significant. Where a LLA necessitates a change in zoning district boundaries, such rezoning shall not be finalized until the LLA is finalized.
- 11. **Other information** as deemed necessary to assess the developability of an existing parcel or adequately review the proposal.

FILING FEE:

See current PRMD Project Review Fee Schedule.