

## **FILING INSTRUCTIONS FOR A:**

### **LOT LINE ADJUSTMENT**

The following instructions are intended to provide the necessary information and procedures to facilitate the processing of a Lot Line Adjustment application. Your cooperation with these instructions will insure that your application is processed in the most expeditious manner possible.

#### **I. GENERAL INFORMATION AND FILING INSTRUCTIONS**

Section 66412(d) of the Subdivision Map Act specifies that the Subdivision Map Act is inapplicable to lot line adjustments between two or more parcels, where the land taken from one parcel is added to an adjacent parcel, and where a greater number of parcels than originally existed is not thereby created, provided the lot line adjustment is approved by resolution of the local agency.

The Subdivision Map Act provides three different methods for subdividing property. Tract map and parcel map procedures provide two methods of creating new building sites. The certificate of compliance procedure provides a method of certifying previously subdivided parcels under certain conditions. The lot line adjustment is not a subdivision procedure.

The lot line adjustment is a routine procedure that may be used under certain specified circumstances as a method for making minor revisions to property lines between two or more existing building sites. When it has been determined that a proposed revision to property lines qualifies as a "lot line adjustment" it is excepted from the normal subdivision process.

The lot line adjustment procedure is intended to be used only in those situations where the provisions of the Subdivision Map Act and the Subdivision Code applicable to subdivisions do not apply. This includes only lot line adjustments that are of a minor and routine nature, where a resolution can be adopted without the need of extensive review and public involvement. The City Engineer shall have authority for determining that a proposed lot line revision qualifies as a "lot line adjustment".

A lot line adjustment is categorically exempt from the California Environmental Quality Act (CEQA) as a Class 5, "Minor Alterations in Land Use Limitations," exemption per section 15305 of the CEQA Guidelines.

#### **II. REQUIREMENTS FOR FILING APPLICATION**

The application for a lot line adjustment requires the completion of simple forms requiring basic information regarding the properties involved, including an updated title report, the preparation of maps illustrating the proposal, the preparation of deeds reflecting the newly adjusted lots or parcels, and the payment of a processing fee and plan check deposit. The legal owners of the parcels involved will be responsible for the accuracy of all information submitted in connection with this application.

The items that are required to be submitted will be legal documents that must be recorded. Therefore, the forms must be typed and the exhibits drawn legibly. Also, to assure the reproducibility of the documents, use black ink on all forms and maps.

To accurately compile the information required, the County of Orange requires that the application and exhibits for a lot line adjustment be prepared by a person authorized to practice land surveying pursuant to Sections 8700 through 8807 of the Business and Professions Code, State of California.

### **III. CRITERIA FOR ACCEPTANCE**

An application for a lot line adjustment may be accepted when it can be determined that the proposal complies with the following specifications:

1. The project site described in the proposal consists of legal building sites.
2. Any land taken from one parcel will be added to an adjacent parcel, with the resultant number of parcels not being a greater number than the original condition as a result of the lot line adjustment.
3. The proposal is consistent with the General Plan.
4. The parcels proposed to be created by the lot line adjustment comply with all applicable zoning regulations.
5. The lot line adjustment, in and of itself, will not result in the need for additional improvements and/or facilities.
6. No dedication or street improvements are required from either parcel as a condition for the lot line adjustment.

### **IV. PROCEDURE**

1. Before submitting an application, the person desiring the lot line adjustment shall first consult with the Planning Division and the Department of Public Works to ascertain applicable requirements.
2. The applicant shall then submit the application and documents, prepared by a person authorized to practice land surveying, to the Planning Department and pay required processing and plan check fees. (*Note: The original lot line adjustment map and grant deeds shall be retained by the applicant until such time as described later.*)
3. Upon approval by the Planning Department, the Applicant shall make a separate submittal to the Engineering Department for 1<sup>st</sup> plan check and pay the required Engineering plan check fee. The required items can be found on the following pages under "Engineering Department Submittal Requirements".
4. The Department of Engineering/Public Works shall review the application and related documents to ensure technical accuracy and acceptable format for recording. The original documents retained by the applicant/agent/engineer shall be submitted to the Engineering Department for the City Engineer's signature, when requested by the plan checker.
5. Prior to submission of final documents to the City for appropriate signatures, the individual who is responsible for the preparation of said documents shall sign and seal the original documents in accordance with the Land Surveyor's Act, Article 5, Section 8761 which states that in addition to his signature, the land surveyor "shall show license or registration number or the stamp of his seal."
6. When ready for recordation, the applicant will be notified by telephone by the plan checker. Revised grant deeds conveying the newly adjusted properties shall be recorded concurrently with the corresponding Lot Line Adjustment by the County of Orange. Recordation fees will be paid directly by the applicant or agent.

7. Documents for recordation shall be assembled in the following sequence:

- i. Application for Lot Line Adjustment
- ii. Map (Exhibit "A")
- iii. Revised grant deeds (Exhibit "B")

(Please note that the Site Plan is not to be recorded)

*Refer to the attached sheets for submittal requirements.*

## **PLANNING DEPARTMENT SUBMITTAL REQUIREMENTS**

1. **PAYMENT OF PLAN CHECK DEPOSIT:** See Planning Dept. Fee Schedule.
2. **APPLICATION FOR LOT LINE ADJUSTMENT WITH NOTARIZED SIGNATURES:** All owners of record shall sign the application. Where owned by an entity, the application shall be signed by an individual authorized to do so and supported by a written document of authorization. Please include printed name and title.
3. **LETTER OF EXPLANATION/JUSTIFICATION:** Submit a detailed letter explaining the reason(s) for the Lot Line Adjustment.
4. **EXHIBIT "A" LOT LINE ADJUSTMENT MAP:** 3 copies – Retain Original until Plan Check is Completed.

The map must be prepared by a person authorized to practice land surveying and drawn in black ink in the 8 ½" x 14" form provided. The map must be clear and readable. At least the following information must be provided on the map (additional information may be required):

- A 2.5 inch margin in the upper left corner for recordation purposes.
- Map scale and north arrow.
- The location of the project site in relation to existing streets and the distance to the nearest cross-street. (Must be detailed enough to allow someone not familiar with the area to locate the project site).
- The existing and proposed lot layout. Show bearings and distances for all parcel lines. See attached sample map for line weights.
- A number for each parcel (Parcel 1, Parcel 2, etc) and the area of each parcel.

5. **EXHIBIT "B" ADJUSTED GRANT DEEDS:** 3 Copies – Retain Original until Plan Check is Completed.
  - If the parcels/ lots involved are owned by different individuals or entities, these owners shall prepare deeds to convey the appropriate portions of the adjusted lots/ parcels to each other. Consent to the lot line adjustment by a party or entity holding a beneficial interest in the property shall be reflected in the deed of trust including, as appropriate, any partial reconveyance shall be executed in the manner of a conveyance of real property and recorded concurrently with the deeds required by this section.
  - If all of the parcels/ lots involved are owned by a single individual or entity, the owner shall prepare deeds to convey the newly adjusted parcels/ lots to said owner or entity. The legal descriptions shown on these deeds shall agree with the lots/ parcels shown on the approved lot line adjustment. Consent to the lot line adjustment by a party or entity holding a beneficial interest in the property shall be reflected in the deed of trust including, as appropriate, any partial reconveyance necessary to effect

the intent of the lot line adjustment. The modifications, and, if required, partial reconveyance shall be executed in the manner of a conveyance of real property and recorded concurrently with the deeds required by this section.

- If all of the parcels/lots involved are owned by a single individual or entity, the owner shall prepare deeds to convey the newly adjusted parcels/lots to said owner or entity. The legal descriptions shown on these deeds shall agree with the lots/parcels shown on the approved lot line adjustment. Consent to the lot line adjustment by a party or entity holding a beneficial interest in the property shall be reflected in a modification of the deed of trust including, as appropriate, any partial reconveyance necessary to effect the intent of the lot line adjustment. The modification and, if required, partial reconveyance shall be executed in the manner of a conveyance of real property and recorded concurrently with the deeds required by this section.

6. TITLE REPORT: 3 copies – This document is not Recorded with the Orange County Recorder.

A title report for the properties involved shall be provided to assure adequate preparation of the revised grant and trust deeds.

7. SITE PLAN: 3 copies – This document is not Recorded with the Orange County Recorder.

Since only certain information can be on the official recorded Lot Line Adjustment Map (Exhibit "A"), a second map is required showing the additional information necessary to verify compliance with adopted City ordinances.

This site plan shall be submitted on a COPY of the Lot Line Adjustment Map (Exhibit "A"). The following information must be included on the site plan:

- The location and width of all existing or proposed easements of rights-of-way, whether public or private, for access roads, drainage, sewers, or flood control purposes. Label the easements as existing or proposed and indicate to whom the easement is granted.
- The location of any above ground or underground structures on the site. Dimension distances from proposed property lines to structures. If there are no structures on the lots proposed for adjustment, as a note on the map stating that fact.
- Grading/Topographical information, including site contours, water flow, and existing/proposed drainage structures, as determined necessary by the Engineering Department, on a case-by-case basis.
- Any other information, as determined necessary by the Engineering Department, on a case by case basis, to completely and properly assess the proposed Lot Line Adjustment.

8. REFERENCE MAP: 1 copy

Submit a single copy of a locator/reference/underlying record map (tract/parcel) or if inapplicable, an Assessor's Parcel Map Book page.

## **ENGINEERING DEPARTMENT SUBMITTAL REQUIREMENTS**

In order to do a thorough review for **1<sup>st</sup> plan check**, the following items must be submitted to the **Engineering Department\***.

- 1) Plan Check Fee- see **Engineering Fee Schedule**
- 2) Lot Line Adjustment – 2 sets
- 3) Traverse calculations with closures of 0.017' of all closed figures.
- 4) Title report dated within the previous three months.
- 5) Recorded reference maps and deeds for existing lot lines.
- 6) Recorded easement documents listed in title reports.
- 7) Assessor's maps to verify Assessor Parcel Numbers.
- 8) Adjusted Grant Deeds when ready for recordation of Lot Line Adjustment.

\* Please note that the plan check process will begin **upon approval** by the Planning Department.

RECORDING REQUESTED: MAIL TO:  
CITY OF RANCHO SANTA MARGARITA  
**ENGINEERING DEPARTMENT**  
22112 El Paseo  
RANCHO SANTA MARGARITA, CA 92688

APPLICATION FOR LOT LINE ADJUSTMENT NO. \_\_\_\_\_  
(please type or print in black ink)

PARCEL 1: A.P. #

PARCEL 2 A.P. #

NAME (S) \_\_\_\_\_

NAME (S) \_\_\_\_\_

ADDRESS \_\_\_\_\_

ADDRESS \_\_\_\_\_

## PHONE

## PHONE

PARCEL 3: A.P. #

PARCEL 4 A.P. #

NAME (S) \_\_\_\_\_

NAME (S) \_\_\_\_\_

## PHONE

## PHONE

(I/We) hereby certify that: (1) (I am/we are) the record owner(s) of all parcels proposed for adjustment by this application; (2) (I/We) have knowledge of and consent to the filing of this application; and, (3) The information submitted in connection with this application is true and correct.

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**Signature(s) of owner(s) of PARCEL 1**

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**Signature (s) of owner(s) of PARCEL 2**

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**Signature(s) of owner(s) of PARCEL 3**

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**Signature (s) of owner(s) of PARCEL 4**

**CONTACT PERSON:**

ADDRESS: \_\_\_\_\_

REVIEWED AND APPROVED BY:	STATE OF CALIFORNIA) COUNTY OF ORANGE) CITY OF RANCHO SANTA MARGARITA)
<hr/> Thomas E. Wheeler, P.E. RCE 50549 City Engineer City of Rancho Santa Margarita	SS  On this ____ day of ____ , in the year of ____ before me, Debbie Wolff, City Clerk of the City of Rancho Santa Margarita, personally appeared Thomas E. Wheeler, City Engineer of the City of Rancho Santa Margarita, personally known to me to be the person who executed this instrument and acknowledged to me that said execution is on behalf of the City of Rancho Santa Margarita.

**APPLICATION FOR LOT LINE ADJUSTMENT  
LLA 20\_\_\_\_ - \_\_\_\_**

THIS DOCUMENT CONSISTING OF \_\_\_\_ PAGES, WAS PREPARED BY ME OR  
UNDER MY DIRECTION.

(Seal)

\_\_\_\_\_  
Engineer, License No.

REGISTRATION/LICENSE EXPIRES: \_\_\_\_/\_\_\_\_/\_\_\_\_

EXAMINED AND APPROVED FOR THE CITY OF RANCHO SANTA MARGARITA

\_\_\_\_\_  
BY: MICHAEL L. FOREMAN, P.L.S. 5778  
ACTING CITY SURVEYOR  
REGISTRATION/LICENSE EXPIRES: \_\_\_\_/\_\_\_\_/\_\_\_\_

DATED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2004

EXAMINED AND APPROVED FOR THE CITY OF RANCHO SANTA MARGARITA

\_\_\_\_\_  
BY: THOMAS E. WHEELER, R.C.E. 50549  
CITY ENGINEER  
REGISTRATION/LICENSE EXPIRES: 06/30/05

DATED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2004

**EXHIBIT "A"**  
**LOT LINE ADJUSTMENT NO.**  
**(MAP)**

OWNERS	EXISTING PARCELS AP NUMBER	PROPOSED PARCELS REFERENCE NUMBER

**EXHIBIT "B"**  
**LOT LINE ADJUSTMENT NO.**  
**(ADJUSTED GRANT DEEDS)**

**SITE PLAN  
LOT LINE ADJUSTMENT NO.  
(MAP)**

OWNERS	EXISTING PARCELS AP NUMBER	PROPOSED PARCELS REFERENCE NUMBER