



**MODOC COUNTY PLANNING
 DEPARTMENT**

203 WEST 4TH STREET
 ALTURAS, CALIFORNIA 96101
 (530) 233-6406

Planning Staff
 Kim Hunter, Director
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LOT LINE ADJUSTMENT

Application Packet

A lot line adjustment may be applied for when:

- Four or fewer existing, adjoining parcels are involved
- The land taken from one parcel is added to an adjoining parcel
- A greater number of parcels than originally existed is not being created
- The proposed lot line adjustments must conform to the General Plan, Title 18 Zoning Ordinance and Building Department requirements

These guidelines provide detailed information for lot line adjustments of legally created lots. (Reference: Section 66412(d) of the California Government Code.)

<i>Included in this packet:</i>	A. Application Filing
	B. Submittal and recording
	C. Application Processing
	D. Certificate of Compliance
	E. Criteria for review

➤ ***Please note that incomplete applications will not be accepted*** ◀

A. APPLICATION FILING

After consulting with the Planning Department, submit all the following documents concurrently:		
✓	Item	Description
	Completed Lot Line Adjustment Application:	1) Planning Application 2) Supplemental Information Form - The property owner must sign the applications for provide other written authorization
	Fees:	\$ 400.00 payable to <i>Modoc County Planning Department</i>
	Preliminary Title Report	Obtain a current Preliminary Title Report from the title company; it must include all properties involved in the lot line adjustment
	Referenced documents:	Copies of the current, existing deeds and all recorded documents referenced in the parcel descriptions
	Map of original parcels and resulting parcels:	(a) Show boundaries of each original parcel and the proposed resulting parcel(s) (b) Number the parcels to correspond to legal descriptions (c) Show improvements including the location of septic systems, wells, dwellings and accessory structures

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		(d) Show easements that affect the proposal
	Completed "Certificate of Compliance" form:	Submit typed, signed and notarized by all property owners (including lenders and lienholders), along with the original and resulting parcel descriptions labeled "Exhibit A" and "Exhibit B", respectively
	Deeds	New deed(s) prepared with resulting parcel descriptions. (See Part B. Item #2)
	OPTIONAL: Completed "Change of Ownership Statement"	Available at the Title Company or Clerk's Office
The following items are required before the project will be recorded:		
✓	Item	Description
	Taxes Paid Current	Taxes must be paid current to the Modoc County Tax Collector on <u>all</u> parcels involved in the transaction
	County Surveyor Review Fees	Survey checking fees must be paid prior to recording – the applicant will be notified of the costs (which vary depending on the project)
	Recording Fees	Payable to the Modoc County Recorder – fees based on how many pages are included in the document

RESULTING PARCEL DESCRIPTIONS MUST HAVE A SURVEYOR'S STAMP

B. SUBMITTAL AND RECORDING

1. Resulting parcel description(s) must be prepared by an **authorized State of California surveyor** and stamped with their appropriate seal. A statement shall be included that says, "I, _____, certify that the descriptions for each resulting parcel meet setback requirements and provide 60-foot of access frontage onto a public road." The original and resulting parcels must in total encompass the same property.

2. When adjusting boundaries, deeds must be prepared to confirm ownership. All financing which could result in foreclosure must conform to resulting parcel descriptions.

Deeds should reflect the following statement, "This deed is being recorded to reflect the resulting parcel contained in the Certificate of Compliance recorded concurrently herewith."

If any of the parcels affected by the lot line adjustment are subject to a lien resulting from an assessment district proceeding or equivalent proceeding for public improvements, the applicant must secure an amendment to the assessment district map and any other documents of record to reflect the adjusted property line.

C. APPLICATION PROCESSING

1. **Conforming Parcels:** The Planning Department shall limit its review and approval to a determination of whether or not the parcels resulting from the lot line adjustment will conform to the local general plan, zoning ordinance and building department ordinances.
2. **Nonconforming Parcels:** As defined in the *Modoc County Zoning Ordinance, Section 18.1544.050*, the “Planning Commission may approve a lot line adjustment to an existing nonconforming parcel in order to increase the size of the said parcel by taking land from another adjoining parcel provided that no conforming parcels shall be made nonconforming or substandard as to size or any other applicable general plan or zoning standard as a result of the lot line adjustment. However, the Planning Commission may approve modifications to existing nonconforming parcels to decrease the existing nonconformity of a parcel or increase the nonconformity of a parcel if they find, (1) that the lot line adjustment is necessary to improve the health and safety conditions of a parcel; or (2) that the lot line adjustment improves the design of the existing parcels, without altering the existing land uses thereon.”
3. Within 30 days of receiving the application, the Planning Department will notify the applicant of any additional information required. Each resubmittal is subject to a 30-day review period for completeness. If the response to the request for information is not received within 30 days, the application may be deemed abandoned.
4. The provision of complete information will expedite the processing of your application. Please route all questions about the application to the Planning Department.
5. The Planning Director will tentatively approve or deny the application based on criteria in Part D.
6. The applicant may file an appeal to any decision of the Planning Director, in writing. The appeal should be submitted within 10 days of the Planning Director’s decision. The appeal should be sent to the Modoc County Planning Commission at 203 W. 4th Street, Alturas, Calif. 96101. A hearing will be scheduled for the next Planning Commission meeting.
7. When the Certificate of Compliance and concurrent documents are recorded, the process is complete.

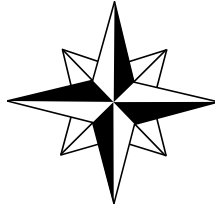
D. CRITERIA FOR REVIEW

1. The advice that a lot line adjustment may be appropriate is based on certain facts provided to the Planning Department by the applicant. In some cases, a lot line adjustment cannot be pursued and a subdivision will be required.

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2. A 60-foot wide passable access to a public road must be provided to each resulting parcel. The applicant will be required to furnish proof that the easements are reasonably passable by providing certification from an authorized State of California land surveyor. An encroachment permit or approval may be required from the County Road Department or California Department of Transportation if a new easement or other access is established.
3. Compliance with zoning, building and health codes, including setbacks from buildings, easements or utility structures or relocation of existing easements or utilities. Certification from an authorized State of California land surveyor will be required confirming distances from improvements meet setback requirements at proposed property lines.
4. No delinquent taxes may exist on the properties involved and all fees must be paid in full.

**THE COUNTY IS NOT RESPONSIBLE FOR ANY ERRORS OR
OMISSIONS IN PROPERTY DESCRIPTIONS**





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SUPPLEMENTAL INFORMATION

The following is required, in addition to the Planning Application, in order to evaluate your project. Answer all questions to the best of your ability. If more space is required, please use a separate sheet of paper.

PART 1: GENERAL INFORMATION

- A. Project Location _____
Assessor's Parcel Number _____
Subdivision _____ Block _____ Lots _____
- B. Project Site: Total Area: _____ Access Road(s): _____
- C. Existing use of property: _____
- D. Provide a summary of the proposed project, including the size, purpose, phasing and uses.

- E. Do the owners presently own other contiguous property? Yes _____ No _____
If so, Assessor's Parcel Number(s): _____

PART 2: RESULTING PARCELS

Total number of resulting parcels: _____

For each resulting parcel, what is the parcel size and proposed access (i.e., county road number, name, easement, etc.)

Parcel 1:	Size _____	Access _____
Parcel 2:	Size _____	Access _____
Parcel 3:	Size _____	Access _____
Parcel 4:	Size _____	Access _____
Parcel 5:	Size _____	Access _____
Parcel 6:	Size _____	Access _____

PART 3: SERVICES / IMPROVEMENTS

- A. Improvements:
Existing _____

Proposed _____

- B. Access:
Existing _____
Proposed _____

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C. Water:

Existing uses of water on project site _____

Proposed water uses _____

Existing water source _____

Proposed water source _____

D. Sewage / Wastewater:

Existing uses that generate sewage / wastewater _____

Proposed uses that generate sewage / wastewater _____

Existing sewage disposal method _____

Proposed sewage disposal method _____

List any unusual wastewater characteristics of the existing / proposed uses. What special treatment processes are necessary?

E. Is electricity extended to the project site? Yes _____ No _____

F. Is telephone service extended to the project site? Yes _____ No _____

G. Name of agency that presently provides, will provide or could provide service to the project, if required:

(Please complete for all projects)

Elementary School _____

High School _____

Electricity _____

Telephone _____

Fire Protection _____

Hospital / Other Emergency _____

Water Supply _____

Sewage Disposal _____

PART 4: NOTIFICATIONS TO APPLICANT / CERTIFICATIONS

Pursuant to Government Code Section 65945, do you request to receive notice from the county of proposal types 1, 2, 3 and or 4 below, which may come before the county during the processing of this permit (you will only be notified of proposals that the county determines are reasonably related to your permit request):

1. Adopt or amend the general plan.
2. Adopt or amend a specific zone.
3. Adopt or amend the zoning ordinance.
4. Adopt or amend an ordinance affecting building or grading permits.

_____ Yes, notices for _____ (Specify 1, 2, 3 and/or 4). If yes, you must add \$5.00 to your application fee.

_____ No, I do not wish to receive notices for 1, 2, 3 or 4.

Pursuant to Government Code Section 65962.5, I have examined the Hazardous Wastes and Substances Sites List on file with the Planning Department, compiled by the State Office of Planning and Research, and certify:

_____ The site that is the subject of any project under this application is located on the list titled

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_____ in the above publication.

_____ The site that is the subject of any project under this application is not located on any list in the above publication.

Pursuant to Government Code Section 65943, this is an application for a development permit.

_____ Yes _____ No

PART 5: CERTIFICATION, AUTHORIZATION AND SIGNATURES

By signing this application, Modoc County Planning Department staff is authorized to enter your property for the purpose of project review. This authorization is valid from the date signed until the end of the project review period unless ongoing monitoring or maintenance are required.

I hereby certify under penalty of perjury that the information provided in this application is true, accurate and complete to the best of my / our knowledge. I also certify that I have read and understand the applicable application requirements pertaining to my project.

Owner(s) _____ Date _____

_____ Date _____

Applicant / _____ Date _____

Authorized Agent