



CITY OF ORINDA

LOT LINE ADJUSTMENT APPLICATION

Planning

• 22 Orinda Way • Orinda, CA 94563 • (925) 253-4210 • FAX (925) 253-7719
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LOT LINE ADJUSTMENTS and MERGERS (Orinda Municipal Code Section 17.20):

A Lot line adjustment is permitted to change the lot line between two or more existing adjacent parcels where the land taken from one parcel is added to the adjacent parcel and the total number of parcels remains the same.

Subsequent to approval of the Lot Line Adjustment by the City, the following must occur:

- 1) The resulting changes in ownership of the affected land must be conveyed by legal document if the subject property is not held under one ownership. The adjustment may be reflected by deed or by a record of survey prepared by a licensed Land Surveyor or qualified registered Civil Engineer if the subject property is held under a common ownership.
- 2) A record of survey will be required if adequate documentation does not exist. City approval of the Lot Line Adjustment is good for a period of 6 months. If the change is not affirmed within the stipulated time frame as described in Item 1 above, then a new application will need to be processed.

For voluntary mergers of two contiguous parcels, the approved merger must be set forth in a deed which is recorded with the Contra Costa County Recorder's office no more than sixty (60) days after approval. A copy showing evidence of recordation shall be provided to the Zoning Administrator.

Note about nonconformity:

A lot line adjustment may be approved without requiring conformity with the city's zoning and building regulations if the reconfiguration reduces the degree of nonconformity of each reconfigured parcel or does not substantially increase the degree of an existing nonconformity, provided that the change will enhance neighborhood property values and the quality of development within the area.

ABOUT THE PROCESS

Complete this application and submit it along with a General Planning Application form. When the application is complete, schedule a meeting with a planner to review the application. You will be notified within 30 days as to whether or not any additional information or plans will be required by staff to complete the processing of your application.

The application may be approved by the Zoning Administrator without a public hearing in the following circumstances:

- 1) **Lot Line Adjustments.** If the adjustment is between two lots, one of which contains an existing residence or commercial structure. The purpose of the adjustment must be to either compensate for a pre-existing condition such as an encroachment of a fence or driveway onto an adjoining parcel or to establish conforming setbacks for an encroaching structure.

- 2) **Voluntary Lot Mergers.** If the proposed merger will not create a lot exceeding one hundred fifty (150) percent of the size of the largest original lot being merged or if there are no other unusual factors in the proposal which, in the discretion of the Zoning Administrator, merits notice and a hearing.

Other applications for lot line adjustments may be approved by the Zoning Administrator after a noticed hearing if the adjustment complies with code [see text 17.20.4]. However, if the adjustment involves more than two lots or the Zoning Administrator deems it necessary, the Planning Commission may review the application. For further discussion of the application process see the general application packet.

STATEMENT FOR FINDINGS

Complete the following statements as they relate to your project. They will be used by the decision-maker to evaluate your request. (Attach additional sheets of paper as necessary.)

1. The reconfiguration is consistent with the general plan and applicable specific plan because...

2. The resulting lots will conform to the city's zoning and building ordinances because...

APPLICATION CHECKLIST

Submit this checklist with a checkmark next to each item submitted.

The application will not be accepted for processing unless all pertinent information required this attached checklist is provided.

- A. Completed General Planning Application
- B. General Lot Line Adjustment Application
- C. Completed Application Checklist signed and dated (this list).
- D. Required fees payable upon submission:
 - 1. Application Fee Staff hourly rate charges. A deposit of \$1,500 is required before work commences
 - 2. Mailing \$183
 - 3. 10% General Plan Update surcharge fee \$150
- E. Letter explaining purpose of Lot Line Adjustment, signed by each owner of property whose boundaries are proposed to be adjusted
- F. Owner's Certificate: a notarized statement of ownership and consent to lot line adjustment signed by the owners.
- G. The Lot Line Adjustment plat shall be drawn on a sheet size of 8 1/2" X 11". Any additional sheets that are necessary must also be submitted on 8 1/2" X 11" sheets. Indicate the following for each lot:
 - 1. All bearings and distances.
 - 2. Areas (net and gross acreage) of existing and proposed lots. Also show the area of each proposed lot at the end of its legal description.
 - 3. Existing lot designations such as lot number, subdivision number and the subdivision recording date.
 - 4. Assessor's parcel numbers.
 - 5. All existing easements.
- H. Map of affected properties (3 copies) showing the following:
 - 1. Abutting streets and alleys showing names, centerline and widths.
 - 2. Label existing lot line (shown as lightly dashed) and new adjusted lot line with dimensioning between them.
 - 3. Vicinity map (at a scale of approximately 1" =200').
 - 4. North arrow and scale.
 - 5. Show all structures, walls, fences or trees that are located adjacent to the adjusted lot line, sufficient to determine the location of these facilities with respect to the new lot line. If the new lot line corresponds with an existing fence it is not necessary to show adjacent features that are obviously on one side or the other of the new lot line, with the exception of structures. Structures adjacent to the adjusted lot line must be shown so that the Planning Department can check setback requirements.
 - 6. Indicate the approximate average slope of the property; and the floor area of existing habitable structures.
- I. Three sets legal description and 8 1/2" X 11" plat prepared by a licensed Land Surveyor or qualified Registered Civil Engineer. (The legal description will become Exhibit "A" and the plat map will become Exhibit "B" of the completed Lot Line Adjustment package.)
- J. Title reports on all affected parcels current within 6 months.
- K. In addition, three sets of draft grant deed or quitclaim deed documents that transfer the affected area(s) between each parcel (include legal description, plat, deed document prepared by licensed land surveyor or qualified registered civil engineer)
- L. Closure/Area calculations verifying new legal descriptions.

_____ M. Any other information deemed reasonable and necessary by the reviewing planner and/or City Engineer.

I have read and understand my obligations regarding the information necessary for a use permit application:

Signature of Owner or Authorized Agent

Date

RECORDING REQUESTED BY:

AND WHEN RECORDED, MAIL TO:
CITY OF ORINDA
CITY CLERK
22 ORINDA WAY
ORINDA, CA 94563

LOT LINE ADJUSTMENT NO. LLA _____

CITY OF ORINDA, COUNTY OF CONTRA COSTA, STATE OF CALIFORNIA

NOTICE IS HEREBY GIVEN that _____,
the owner(s) of that certain real property described as _____
_____ (APN _____),
and _____, the owners of
that certain real property described as _____
_____ (APN _____),
have made application for the following lot line adjustment which has been approved by the Advisory
Agencies pursuant to the City of Orinda Subdivision Ordinance and the Subdivision Map Act of the State of
California, as follows:

See Exhibit "A" (Legal Descriptions) and Exhibit "B" (Plat Map) attached hereto and made a part thereof.

Exhibit "A" and Exhibit "B" Prepared By

(Print Name)

(R.E./L.S. stamp above)

LLA _____
Sheet ___ of ___

LOT LINE ADJUSTMENT NO. _____

OWNER'S CERTIFICATE

This is to certify that the undersigned, as the fee title owners of the real property described within the above lot line adjustment, requested preparation of this lot line adjustment and consent to recordation of the same.

Signature

Date

Signature

Date

ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California

County of _____)

On _____ before me, _____
(insert name and title of the officer)

personally appeared _____,
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature _____

(Seal above)

LLA _____
Sheet ___ of ___

EXHIBIT "A"

(Legal description of each new parcel on a separate sheet.)

EXHIBIT "B"

(Plat map showing all parcels affected by the Lot Line Adjustment)

LOT LINE ADJUSTMENT NO. LLA

I, Lawrence T. Theis, City Engineer of the City of Orinda and I, Drummond Buckley, Planning Director of the City of Orinda, Contra Costa County, State of California, have determined that the parcels of the real property described in Exhibit A, attached hereto and made a part hereof, will comply with the provision of the Subdivision Map Act (commencing with Section 66412 et seq., Government Code) and the City of Orinda Subdivision Ordinance (Title 16 of the Orinda Municipal Code), as separate and distinct parcels.

This lot line adjustment relates only to issues of compliance or noncompliance with the Subdivision Map Act and local ordinances enacted pursuant thereto. The parcels described herein may be sold, leased, or financed without further compliance with the Subdivision Map Act or any local ordinance enacted pursuant thereto.

I, hereby cause the lot line adjustment to be filed for recording with the Recorder of Contra Costa County, State of California.

Description

See Exhibit A, legal description, attached hereto and made a part hereof.
See Exhibit B, plat, attached hereto and made a part hereof.

Date

Lawrence T. Theis
R.C.E. 67662, exp. Date 06/30/2019
City Engineer
City of Orinda

Date

Drummond Buckley
Planning Director
City of Orinda

ACKNOWLEDGMENT

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State of California

County of _____)

On _____ before me, _____
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personally appeared _____,
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are
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his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the
person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing
paragraph is true and correct.

WITNESS my hand and official seal.

Signature _____

(Seal above)