



Community Development Department

Counter Hours: 8:00 a.m. to 12:00 noon  
Monday through Thursday

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**INSTRUCTIONAL PACKET  
FOR  
LOT LINE  
ADJUSTMENTS/MERGERS**

Updated July 1, 2010



## INSTRUCTIONAL PACKET FOR LOT LINE ADJUSTMENTS/MERGERS

### PURPOSE

This instructional packet has been prepared to assist you in preparing a request for a Lot Line Adjustment/Merger. Lot Line Adjustment applications are used to shift or rotate the location of existing lot lines between four or fewer contiguous parcels where a greater number of parcels than originally existed is not created. Simply put, this means that the common lot lines between two or more parcels can be moved, shifted, or eliminated entirely as long as no more lots than originally existed are created. A merger request is considered a Lot Line Adjustment. Since Lot Line Adjustment/Merger requests are not "divisions of land" in the true sense of the term, they are exempt from the requirements of the State Subdivision Map Act. However, the Map Act has set minimum requirements pertaining to applications for lot line adjustments and mergers, which are enforced by the City's Subdivision Ordinance. The basic requirement of the Map Act for lot line adjustments/mergers is that the application must be approved by the local agency (City) and that deeds evidencing the newly created parcels must be recorded. In no instance shall a transfer of land take place until the City has approved the Lot Line Adjustment/Merger application.

The Zoning Administrator is authorized to approve a Lot Line Adjustment/Merger subject to confirmation or ratification by the Planning Commission. The Planning Commission comprises seven individuals appointed by the City Council who are charged with the responsibility of approving or denying requests for development. The Commission meets the first and third Thursday of each month at 1110 West Capitol Avenue. Meetings are located on the second floor of the City Council chambers and begin at 6:00 p.m.

Lot Line Adjustments/Mergers are typically exempt from CEQA review and take approximately 45 to 90 days to process depending on staff's current workload. This time frame includes State mandated timeline requirements for public noticing. Although a public hearing is not required for Lot Line Adjustments/Mergers, the Planning Commission or other members of the public can request that a public hearing be held before the application is approved. If this occurs, the applicant will be required to provide a 500-foot Public Notice Map and typed mailing labels for property owners within 500 feet of the subject site.

The Community Development Department staff has established a goal of processing applications as rapidly as possible within applicable legal constraints. It is important that the applicant prepare a complete and accurate submittal package. Delays may occur if staff does not have accurate information or has to return an incomplete application.



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### APPEALS

Any person dissatisfied with the decision of the Planning Commission may appeal to the City Council. Appeals must be filed with the City Clerks office in writing within fifteen (15) days of the Planning Commission action with the appropriate filing fee (see enclosed fee schedule). A public hearing will be scheduled before the City Council to hear the appeal. Decisions by the City Council regarding appeals are final.

### FINDINGS

Staff must be able to make the following findings about the project in order to recommend approval:

1. That all record title holders who are required by the Subdivision Map Act to consent to a reversion to acreage have consented to the proposed lot line adjustment, and the Engineering Division has approved the proposal as complying with the Act;
2. That the deeds to be utilized in the transaction accurately describe the resulting parcels;
3. That the lot line adjustment will not result in the abandonment of any street or utility easement of record, and that if the lot line adjustment will result in the transfer of property from one owner to another, the deed to the subsequent owner expressly reserves any street or utility easement or record;
4. That the lot line adjustment will not result in the elimination or reduction in size of the access way to any resulting parcel or that the application is accompanied by new easements to provide access which meets all the requirements of the zoning code regarding access to parcels in the location and of the size as those proposed to be created;
5. That the Zoning Administrator is satisfied that the design of the resulting parcels will comply with the existing requirements as to area, improvements and design, flood and water drainage control, appropriate improved public roads, sanitary disposal facilities, water supply availability, environmental protection and all other requirements of state laws and the zoning code and is in conformity with the purpose and intent of the General Plan and zoning provisions.



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### CERTIFICATE OF COMPLIANCE

The Lot Line Adjustment/Merger process is not complete until a Certificate of Compliance is recorded with the Yolo County Recorder legitimizing the newly created lot lines. After the request has been approved by the Zoning Administrator and ratified by the Planning Commission, a Certificate of Compliance will be issued to the applicant by the Community Development Department. It is the applicant's responsibility to record the approved Certificate of Compliance.

### GENERAL APPLICATION FORM

Application forms must be completed and signed by the property owner(s) or designated agent. Applications signed by individuals other than the property owner(s) will require evidence of authority to file on behalf of the owner(s). Applicants should attempt to complete the form to the best of their ability. The planning staff is available to clarify any questions that may arise.

### STATEMENT OF JUSTIFICATION

A statement of justification must be provided on a separate sheet of paper. Applicants should explain in detail the nature of the request and why the lot line adjustment/merger is justified (i.e., how it meets the required findings). A strong and complete project description and justification will improve the likelihood of a favorable staff recommendation and approval by the Commission. Projects without clear statements of justification will be requested to provide such prior to determination that the application is complete.

### FEES

Fees for the processing of a Lot Line Adjustment/Merger request are based upon a fee structure set by the City Council and are non-refundable. Submittal fees are used to cover staff's time for preparation of environmental documents, preparation of staff reports, and attendance at required public hearings. Should an applicant request that staff stop working on a lot line adjustment/merger application, a portion of the original fees may be returned.

### PRELIMINARY TITLE REPORT

Two copies of a preliminary title report, current within sixty (60) days, are required of all parcels involved in the request. Title reports can be obtained from any title company located in Yolo County.



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### **PUBLIC NOTICE MAP AND PROPERTY OWNER'S LIST**

A Public Notice Map and Property Owner's List conforming to requirements outlined on Form D of this packet may be required in the event that the Planning Commission requests a public hearing. You need not provide this information unless directed to do so by the Community Development Department staff.

### **PLANS AND PROPOSED LEGAL DESCRIPTIONS**

State law specifies that all legal descriptions and drawings used to create new parcels must be prepared by an individual licensed by the State to perform land surveying. Licensed land surveyors and registered engineers meet this requirement. All documents and exhibits submitted must be signed and stamped by the professional who prepared them.

**LOT LINE ADJUSTMENTS/MERGERS CHECKLIST**

SUPPORT DOCUMENTS

Each application for a Lot Line Adjustment or Merger must include the following:

- Completed General Application Form (Form A)
- Executed Lot Line Adjustments/Mergers Checklist
- Statement of Justification (Attach separate sheet)
- Payment of non-refundable application fees
- Existing Legal Description of all properties involved in the request
- Two (2) copies of a preliminary title report (current within 60 days)
- Ten (10) sets of plans drawn to scale showing the following:
  - a. Existing improvements (buildings, driveways, etc.)
  - b. Proposed improvements (if known)
  - c. Net and gross acreage of the existing and resultant parcels
  - d. Existing and proposed parcel lines highlighted in differing colors (lot lines to be eliminated and proposed lot lines should be clearly labeled as such)
  - e. Existing easements on parcel
- Evidence that the current year's property taxes have been paid
- Evidence that a deposit for the following year's taxes has been made if required by Yolo County
- One (1) 8-1/2"x11" reduction of each plan. Reductions can be either PMT (Photo Mechanical Transfer) or electronic in PDF format on a disk (No copier reductions will be accepted)
- Two (2) copies of proposed legal descriptions, stamped and signed by the preparer
- Two (2) exhibit maps drawn to scale, sized 8-1/2" x 11" showing the parcels to be created, signed and stamped by the preparer
- Certificate of consent from deed of trust holder (if applicable)
- Engineering Calculations
- List of all property owners within 500 feet from subject property, including subject property, by assessors parcel number, including mailing addresses (may be required only if a public hearing is requested by the Planning Commission or other members of the public)



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- A supply of envelopes that are addressed to the owners of property located within 500 feet from subject property. **Envelopes must include legal sufficient postage** and include the following return address: City of West Sacramento, Community Development Department, 1110 West Capitol Avenue, West Sacramento, CA 95691 (may be required only if a public hearing is requested by the Planning Commission or other members of the public)

Additional information or exhibits in support of the proposal are encouraged if justified. Exhibits, photos, petitions, etc., become the property of the Community Development Department and cannot be returned. Additional studies and/or supplemental materials may be required pending environmental review.

I, \_\_\_\_\_, do hereby attest that I have reviewed the information contained in the Instructional Packet for Lot Line Adjustments/Mergers and have met each of the aforementioned requirements as they pertain to this lot line adjustment application.

\_\_\_\_\_  
Signature of Applicant

\_\_\_\_\_  
Date