

## **LOT LINE ADJUSTMENT APPLICATION PROCESS**

### **APPLICABILITY**

The Lot Line Adjustment process is described in Section 1.7 of the Ferndale Subdivision Ordinance 99-04.

### **PURPOSE**

The lot line adjustment process is intended solely for adjustments in the boundary lines between two or more parcels in instances where no additional parcels are created. This process may also be used to dissolve property lines.

Due to the relatively simple nature of lot line adjustments, applications may be handled administratively (i.e. principally the City Engineer and City Planner) in order to expedite processing. Referral to the Planning Commission and City Council is not required, except in instances of an appeal of an administrative determination, in which case the application will be referred to the Planning Commission.

### **PROCESS**

#### 1. Pre-application Review (optional)

This is an optional step recommended by Staff. This step can include a review of preliminary plans and/or a meeting with City Staff as a means of providing initial feedback to the prospective applicant. Staff may provide feedback in verbal and/or written form. Any feedback provided at this time is preliminary only, and subject to further refinement or change in the formal review process.

A cash deposit is required to cover City consultant staff time which will be billed to the prospective applicant at prevailing hourly labor rates.

#### 2. Application Completeness Check

- a. Applicant submits all materials as required by the Subdivision Ordinance.
  - Standard Application Form
  - Consent & Certification (both owners sign)
  - Present Owners of Record Vesting Deeds (3 copies)

#### **QUICK CHECK LIST FOR APPLICATION SUBMITTAL**

- Standard Application Form
- Owners' Statement – one for each property
- Consent & Certification (both property owners on one form)
- 3 copies of present owners of record's vesting deeds
- 3 copies of Title Report or Lot Book Guaranty (prepared within 6 months of application)
- 3 copies of LLA Plot Plans
- Written Statement why LLA is necessary or desired
- Existing Parcel Map, if applicable
- Fee Deposit

#### **AFTER LLA IS APPROVED**

- Notice of LLA and Certificate of Subdivision Compliance for each parcel (forms prepared by City Engineer and sent to applicant)
- Vesting Deeds for each parcel
- Legal descriptions prepared by registered Civil Engineer or land surveyor

- Title Report or Lot Book Guaranty for each property (prepared within 6 months)
  - Lot Line Adjustment Plot Plans
  - Written Statement why LLA is necessary or desired
  - Existing Parcel Map if applicable
  - Fees and Deposits
- b. Within 30 days of submission at City Hall, the City Engineer reviews application materials to determine whether the application includes all information required by the Subdivision Ordinance. At his discretion the City Engineer may refer application materials to the Planning Director, or other staff, to obtain opinions regarding application completeness.
- c. If the application is deemed to be incomplete, the City Engineer will provide a written explanation of deficiencies to the applicant within the 30-day review period. The 30-day review period re-starts once additional materials are submitted.
- d. Following notification of the applicant, incomplete applications are held without processing until such time as all deficiencies are corrected. (All administrative decisions are subject to appeal, as set forth herein and Ferndale Municipal Code.)
3. Application Processing
- a. Once the application is deemed complete, the City Engineer may direct City Hall Staff to distribute materials to selected staff with a Routing Sheet from the City Planner which specifies the date by which response is needed, and any other relevant information. (Referral to other staff may not be necessary.)
- b. Each staff member provided a set of application materials evaluates the application in accordance with his or her area of responsibility in accordance with standards contained in the Subdivision Ordinance.
- c. City Staff provides written comments and recommendations to the City Planner within the timeframe specified in the Routing Sheet.
- d. The review of the lot line adjustment application by the City Planner will be limited to a determination of whether or not the parcels resulting from the lot line adjustment will conform to local zoning and building ordinances. If approved, the City staff may impose conditions or exactions on the approval of the lot line adjustment which are found necessary to bring the adjustment into conformance with local zoning and building ordinances, or which are determined necessary to facilitate the relocation of existing utilities, infrastructure or easements.
- e. The City Planner makes an environmental determination, as required by the California Environmental Quality Act (CEQA). In most instances, Lot Line Adjustments are expected to be categorically exempt from the requirements of CEQA. If, in the judgment of the City Planner, the application is not

- Categorically Exempt, the City Planner will prepare an Initial Study, pursuant to CEQA requirements.
- f. Upon finding that the lot line adjustment request complies with City regulations, the City Engineer and City Planner will schedule and conduct a Public Hearing, generally done at a Planning Commission Meeting.
  - g. City Engineer notifies applicant of outcome
  - h. City Engineer prepares for applicant's signature and then files the following:
    - Notice of Lot Line Adjustment and Certification
    - County Notification
    - Preliminary Change of Ownership Report
  - i. After LLA is conditionally approved, applicant must submit "Vesting Deeds" for each parcel.

## **APPEALS**

Administrative decisions may be appealed to the Planning Commission within 10 days of staff's determination.

## **SUBMITTAL REQUIREMENTS**

A complete application consists of required application form, plans, documentation, and required fees and deposits, as described below.

1. Forms
  - a. Standard Application Form
2. Plans (Lot Line Adjustment Plot Plan) and Statement
  - a. Three (3) copies of a Lot Line Adjustment Plot Plan accurately drawn to scale and prepared by a Licensed Engineer or Land Surveyor on one sheet of paper at least 8 ½" x 11" in size that shows the following information for each lot to be adjusted:
    - (1) All exterior and interior lines shall be shown on the map and dimensioned based on information of record.
    - (2) Proposed new lines and lines to be eliminated shall be so identified by written notation or by legend and shall be readily distinguishable from each other and other lines.
    - (3) Areas of the initial and resulting parcels shall be identified in square footage or acreage.
    - (4) All existing structures, their uses, and other constructed improvements, located within 50 feet of the proposed new boundaries shall be accurately located and shown with dimensions from the property lines.

- (5) The names, county road numbers, and widths of abutting rights-of-way and their locations.
- (6) The locations, purpose, and width of all proposed and existing easements, streets, and appurtenant utilities located within 100 feet of the proposed new boundaries.
- (7) The approximate location of all watercourses, drainage channels, and existing drainage structures located within 100 feet of the proposed new boundaries.
- (8) Approximate high water lines of all areas subject to inundation located within 100 feet of the proposed new boundaries.
- (9) Assessed owners and parcel numbers.
- (10) North arrow, and scale
- (11) Vicinity map
- (12) Location of wells, septic tanks and primary and reserve leach fields within 100 feet of the proposed new boundaries.

b. Fees per the City of Ferndale Fee Schedule.

*Note: All plans must be folded by the applicant to a size of 8 1/2" x 11". Two (2) sets are submitted initially.*

3. Documentation: The following documents shall accompany the application:
  - a. Three (3) copies of the current Lot Book Guarantee or Title Report for all properties affected (prepared within the past 6 months).
  - b. A written statement from the applicant explaining the reason(s) for the proposed Lot Line Adjustment.
  - c. Legal description of proposed parcel configuration prepared by a Registered Civil Engineer or Land Surveyor.
  - d. Serious title consequences may result if any of the parcels to be adjusted are subject to prior record liens (i.e. Deeds of Trust, Mortgages, Money Judgments, etc.) and title is subsequently acquired by the lien holder through foreclosure. Those consequences can be avoided by obtaining and recording reconveyances or releases of said liens. Your title company can assist you with these matters.
4. Required Fees and Deposits. Consult City Hall for current fee and deposit requirements.
5. After the LLA is conditionally approved, the following will be required:
  - a. Notice of LLA and Certification of Subdivision Compliance; County Notification and Preliminary Change of Ownership Report. (City Engineer prepares for applicant's signature and then files.)
  - b. Applicant must submit "Vesting Deeds" for each parcel.

## **TIME REQUIRED FOR PROCESSING**

Following are processing time limits established by state law:

- Maximum time to determine application completeness: 30 days
- Maximum time to either approve or deny application: 105 days (Negative Declaration)
- Maximum time to either approve or deny application: 1 year (Environmental Impact Report)

*Note: The preceding time limits are the maximum allowable as specified by state law, unless waived in writing by the applicant. In most instances, applications will be processed in less time than described above. In all instances, applications will be processed as quickly as possible.*

## **FEES**

City of Ferndale processing fees are intended to cover all costs typically incurred by the City in processing of applications. Fees are based on estimates of the City's administrative costs. Fees are minimum and non-refundable. If a project is determined to require more time than covered by the minimum fee, then an estimate of additional time required and estimated actual cost will become the basis for a supplemental application fee. If the supplemental fee exceeds actual costs to the City, the balance will be refunded. Applicant shall pay all costs to City prior to filing of final decision on project application.

## **ADDITIONAL INFORMATION**

For additional information concerning planning application requirements and procedures, contact Ferndale City Hall at 707.786.4224 or [cityplanner@ci.ferndale.ca.us](mailto:cityplanner@ci.ferndale.ca.us) or Spencer Engineering and Construction Management at 707.839.4336 (City Engineer).

### **FROM THE COUNTY OF HUMBOLDT**

Treasurer and Tax Collector; 825 Fifth Street, Eureka, CA 95501 Phone (707) 476-2450

For those requesting Lot Line Adjustments:

It is to your benefit to make sure that all taxes through the current tax year are paid BEFORE completing a Lot Line Adjustment!

The approval of a Lot Line Adjustment may seriously affect the property rights of owners if all property taxes for the parcels involved are not paid prior to the lot line adjustment. If you acquire property which has delinquent taxes as a result of a lot line adjustment, you cannot combine your property for tax purposes. This means that you will receive two or more tax bills and penalties and interest will continue to accrue against the land which has delinquent taxes. Title to all involved properties can also be "clouded" due to unpaid taxes.

For your convenience and after all taxes are paid through the tax year, you may request the County Assessor to combine your adjacent properties for tax purposes. This will simplify your tax billing.

For more TAX INFORMATION: Contact the Humboldt County Tax Collector's office at 707 476.2448 from 8:30 a.m. to Noon and 1 p.m. to 5 p.m. Monday through Friday.

**OWNER’S STATEMENT**

Assessor’s Parcel Number \_\_\_\_\_ Date \_\_\_\_\_  
Address \_\_\_\_\_

The following information is required by the various City Departments. Failure to furnish the required information will delay action.

LEGAL DESCRIPTION: (All ownerships comprising the Lot Line Adjustment.) Use extra sheet if necessary.

Property One:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Property Two:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

DOMESTIC WATER: Source \_\_\_\_\_

SEWAGE: Method of Sewage Disposal \_\_\_\_\_

GRADING: Show on tentative map existing contours.

Is any grading of lots contemplated? \_\_\_\_\_

If yes, show preliminary grading design on the tentative map.

STREET IMPROVEMENTS: Are standard street improvements contemplated? \_\_\_\_\_

ZONING: Present \_\_\_\_\_ Proposed \_\_\_\_\_

USE: Indicate lot numbers under proposed use.

Single Family		Commercial	
Multiple		Industrial	
Other		Agricultural	

**CONSENT & CERTIFICATION**

<b>RECORD OWNER(S)</b>			
NAME		NAME	
ADDRESS		ADDRESS	
CITY ST ZIP		CITY ST ZIP	
PHONE NO.		PHONE NO.	
<b>RECORD OWNER(S)</b>			
NAME		NAME	
ADDRESS		ADDRESS	
CITY ST ZIP		CITY ST ZIP	
PHONE NO.		PHONE NO.	
<b>APPLICANT</b>		<b>LOT LINE ADJUSTOR'S AGENT</b> Engineer, Licensed Surveyor, Other	
NAME		NAME	
ADDRESS		ADDRESS	
CITY ST ZIP		CITY ST ZIP	
PHONE NO.		PHONE NO.	

CONSENT: (To be signed if owner of record is not Lot Line Adjustor.)

I consent to the submission of the application for lot line adjustment accompanying this statement.

Signed \_\_\_\_\_ Date \_\_\_\_\_  
(Lot One Owner)

Signed \_\_\_\_\_ Date \_\_\_\_\_  
(Lot Two Owner)

**CERTIFICATION:**

I hereby certify that the above information is correct to the best of my knowledge.

Signed \_\_\_\_\_ Date \_\_\_\_\_  
(Lot Line Adjustor or Agent)