



CITY OF ENCINITAS
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LOT LINE ADJUSTMENT/LOT CONSOLIDATION - APPLICATION SUPPLEMENT AND SUBMITTAL CHECKLIST

All submittal items shall be provided in digital portable document format (PDF), meet the City's Document Submission Standards/File Category, and be named in accordance with the required File Naming Conventions. See Planning Application Guide, Document Submission Standards & File Naming Conventions Guidelines on the Customer Self Service (CSS) Homepage found [here](#).

1. General Submittal Requirements

- All items in the **General Planning Application Checklist** (except the Stormwater Intake Form and Housing Application Supplement with Income Verification Form)
- Additional items, based upon project scope, as outlined below:

2. Lot Line Adjustment/Lot Consolidation¹

A. Proposed project scope:

- **Modify the existing lot line boundaries of four lots or less.**
- **Consolidate two lots into one lot.²**

Required intake appointment items:

- Preliminary Title Report
- Lot Line Adjustment Plat Maps
- Legal Descriptions
- Transfer Legal Descriptions
- Closure Calculations
- Site Plan
- Lender Notification

Required Drawing Elements

1. Adjustment Plats: Clearly show all existing and proposed property lines, all existing and proposed easements, and all structures on all properties.

Note: Original wet signatures on the plat/legal are required for certificate of compliance recordation.

Plats shall be provided in a format acceptable to the City Engineer and be:

- a. Signed by all property owners to be impacted by the adjustment;
 - b. Signed and stamped by a California-licensed civil engineer or land surveyor;
 - c. Certified by the County of San Diego Department of Environmental Health and Quality (for properties served by an on-site sewage disposal (septic) system)
- 2. Legal descriptions:** Signed and stamped by a California-licensed civil engineer or land surveyor, for the subject lots after the proposed adjustment.

3. **Transfer legal descriptions:** For adjustments occurring between properties that are held under different ownership, provide legal descriptions (signed and stamped by the project engineer or a California-licensed land surveyor) reflecting the transferred portions of the adjustment.
4. **Closure calculations:** Closure calculations for each lot as adjusted (signed and stamped by a California-licensed civil engineer or land surveyor).
5. **Site Plan:** Demonstrating zoning/development standard compliance (i.e., property lines, easements, setbacks, lot coverage, floor area ratio, and parking etc.).
6. **Lender notification:** If any lending institutions have interest in the properties, a notarized statement from the owner showing that they have been notified of the application.

Lot Line Adjustment Process

Chapter 24.70 (Lot Line Adjustments) of the Municipal Code contains the explanations and procedures for Lot Line Adjustments. The purpose of this document is to condense and summarize these procedures to help in initiating and completing the lot line adjustment process. This guide is a summary and should not be used as a complete substitute for reviewing Chapter 24.70 for more exhaustive details.

Lot Line Adjustment - Application Process Summary

1. A lot line adjustment is typically an administrative application. (Note: A lot line adjustment application requires a Planning Commission hearing/decision when the project site is located within the Hillside/Inland bluff Overlay zone. See Overlay Zones Application Supplement for additional information and requirements).
2. Once the city accepts the application for review, the project site must be posted with the "Certificate of Posting" sign obtained from staff at the time of application submittal.
3. Properties served by an on-site sewage disposal (septic) system require review by the San Diego County Department of Environmental Health and Quality (DEHQ). During their review, they will determine if the adjustment plat is meeting the required septic system setbacks, and whether the requested adjustment will pose a significant adverse impact on the sewage (septic) system. For lots requiring DEHQ review, a signature on the final adjustment plat is required prior to city approval.
4. A public notice is required, in accordance with Chapter 30.80 of the Municipal Code, when the project is located within the Coastal Zone. The public notice is published in the newspaper and mailed to property owners and occupants within the vicinity of the project site at least 10-days prior to the decision. The 10-day notice allows for public comment and review of the application before a decision is rendered.
5. A public hearing is required when the project is located within the California Coastal Commission's appeal jurisdiction, and a public notice is published in the newspaper and mailed to property owners and occupants within the vicinity of the project site at least 10-days prior to the public hearing.
6. Planning staff reviews the application and boundary adjustment submittal for zoning compliance (lot size, lot coverage, setbacks, etc.), and routes the application materials to Engineering staff for their technical review of the plat and legal description. As needed, other Departments will also review and comment on the submittal.
7. Upon completion of staff's review, and after the close of the 10-day public review/comment period or after the public hearing (as applicable), the Director of Development Services, or designee, takes action on the application and issues a Notice of Decision (NOD). The determination in the NOD may

be appealed to the City Council within 10-days of the decision. The decision is valid for two years, allowing time to record the certificate of compliance. (See "Final Completion" section below). Projects within the California Coastal Commission's appeal jurisdiction are subject to appeal to the California Coastal Commission.

Lot Line Adjustment - Approval of Application

The application for a lot line adjustment shall be approved unless the parcels resulting from the adjustment will:

1. Create a condition which does not comply with zoning and development regulations. All parcels resulting from a lot line adjustment shall comply with minimum City requirements for size, dimensions, access, parking and circulation, and all other applicable development standards established through the zoning and development code. The lot line adjustment shall also be found to promote available design standards and guidelines as established through the zoning and development code. The lots resulting from a lot line adjustment and existing and/or potential development on those lots shall be found to be within limitations for lot density and intensity of development and use as established through the zoning and development code. (Ord.88-10)
2. Create a condition which does not comply with building regulations.
3. Materially, adversely affect an agreement for the security for the construction of public improvements.
4. Extend beyond the City limit boundary.
5. Require substantial alteration of any existing improvement or creates a need for any new improvement.
6. Adjust the boundary line between lots that are subject to an agreement for public improvements, unless the City Engineer finds that the proposed adjustment will not materially affect such agreement for the security therefor.

Final Completion of Lot Line Adjustment - Certificate of Compliance

After the Notice of Decision (NOD) is issued approving the lot line adjustment application, the adjustment of the lot lines is finalized by the preparation and recordation of a certificate of compliance (COC). Prior to the recordation of the certificate of compliance the following shall occur:

1. The Director, or designee, determines that the applicant has complied with all conditions contained within the Notice of Decision.
2. The City Engineer reviews the final/new documents to ensure their correctness and provides written confirmation to the Director (or designee), that the final adjustment plats, legal descriptions, and closure calculations are correct and ready for recordation.
3. The applicant submits one wet-signed and stamped original copy of the following items for final review by the Director (or designee):
 - a. Final, approved adjustment plats, legal descriptions, and closure calculations
 - b. Final, approved transfer deeds with legal descriptions reflecting the transferred portion(s) of property for the adjustment occurring between properties held under different ownership.
 - c. Final, approved new grant deeds with the new legal descriptions for each lot involved in the adjustment.

- d. A Preliminary Change of Ownership Form from the San Diego County Assessor's Office filled out and signed
 - e. Check, for the fee amount made out to the San Diego County Recorder for the recordation of the document.
4. Approved transfer deeds, new grant deeds and preliminary change of ownership form from the San Diego County Assessor are recorded and conformed copies submitted to the Director (or designee).
 5. The Director (or designee), prepares and records the certificate of compliance at the expense of the applicant.
 6. In some circumstances, with prior Planning approval, the approved deeds and certificate of compliance may be recorded concurrently. In this instance, the transfer deeds would be recorded first, new grant deeds recorded next, and the certificate of compliance recorded after. All document recordation expenses will be covered by the applicant. Conformed copies of all recorded documents are then delivered to Planning staff.

FOOTNOTES:

¹*If the project requires other discretionary application types (Coastal Development Permit, Use Permit, etc.) and the intake submittal requirements overlap, only one of the duplicate submittal items is required for the project submittal.*

²*In order to consolidate two lots into one lot using the boundary adjustment process, the resulting lot is required to meet the minimum lot area, lot depth, and lot width requirements under the zoning. If a resulting lot does not meet the minimum lot area, lot depth, and lot width a lot line adjustment cannot be approved.*