



TOWN OF LOS GATOS LOT LINE ADJUSTMENT PROCEDURES

Lot line adjustments are reviewed according to Section 66412(d) of the Government Code of the State of California. The applicant has the option of using this procedure or completing the lot line adjustment by filing a Parcel Map.

Application

- 1) Application for lot line adjustments (boundary changes) shall be made to the Community Development Department on the prescribed form.
 - All owners of record must sign the application.
- 2) Submitted the following items with the application:
 - a) Evidence that any holders of Deeds of Trust have no objections to the proposed boundary changes.
 - b) Title reports covering all parcels involved dated within 30 days.
 - c) The required Planning Department processing fee.
 - d) Six (6) copies of a drawing no larger than 24" x 36" showing existing and proposed boundaries, all improvements (houses, driveways, trees, etc.), and required building setbacks that may be affected by the proposed boundary change. (Note: drawings shall be prepared by a Registered Civil Engineer or Licensed Land Surveyor, Per Sections 6731 and 8726 of the California Government Code)

Processing

- 1) All Lot Line Adjustment applications will be reviewed by the Development Review Committee (DRC). The DRC must limit its review to the following items:
 - a) Lot size remains conforming to the existing zoning ordinance. If the lots are currently nonconforming as to size, they cannot become more nonconforming (smaller).
 - b) Setbacks remain conforming or do not become more nonconforming.
 - c) Lot frontage and lot depth requirements remain conforming.
 - d) The existing houses do not become nonconforming as for Floor Area Ratio (FAR) requirements of the zone.
 - e) The existing buildings meet the requirement of the Uniform Building code for fire separation or fire wall construction.
- 2) After final action by the Development Review Committee, the applicant will be notified by the Planning Department that the application is complete and any requirements that must be met before the certificate or map can be recorded.
- 3) The Development Review Committee has authority to approve this application. The Development Review Committee may approve or deny the application but may not attach conditions, except to meet the requirements of the Building or Zoning regulations, per Section 66412(d) of the California Government Code. If the application is denied, the applicant may appeal this decision to the Planning Commission.



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Final Action

- 1) When the application has been approved by the DRC, the applicant shall submit the following items to the Engineering Division of the Parks and Public Works Department:
 - a) Updated title reports, for all parcels, if the title reports are older than 90 days.
 - b) One (1) copy and an electronic file (PDF) of the legal descriptions of the new parcel configurations, labeled "Exhibit A" and "Exhibit B". These documents must be wet stamped by your Licensed Land Surveyor or Registered Civil Engineer.
 - c) One (1) copy and an electronic file (PDF) of a map, 8-1/2" x 11", suitable for reproducing and recording, showing the original parcel configuration and the new parcel configurations. Label the map "Exhibit C." These documents must be wet stamped by your Licensed Land Surveyor or Registered Civil Engineer.
 - d) One (1) copy and an electronic file (PDF) of the closure calculations.
 - e) One (1) copy and an electronic file (PDF) of any maps referenced in the title reports or legal descriptions.
 - f) Engineering Division plan checking and processing fee.
- 2) The Engineering Division will review the legal descriptions, map and title reports, and prepare a document entitled "Certificate of Lot Line Adjustment".
 - Any corrections that must be made will be sent to your Licensed Land Surveyor or Registered Civil Engineer, and corrected documents resubmitted.
- 3) The Town Engineer will sign the Certificate of Lot Line Adjustment once the legal descriptions and map documents have been reviewed and approved.
- 4) The Project Engineer will contact the Applicant. The Town Clerk will record the document at the Santa Clara County Office of the Clerk-Recorder. Please note that this process may take approximately six to eight (6-8) weeks. Subsequently, the Applicant can request a conformed copy from the County for their personal records, which is available for a fee determined by the number of pages. **The Town of Los Gatos will keep the original recorded document.**

Additional Information

- 1) Legal descriptions and map of the new parcel configurations shall be prepared by a Registered Civil Engineer or Licensed Land Surveyor, Per Sections 6731 and 8726 of the California Government Code, these are the only persons authorized to prepare such documents.
- 2) Your title company should provide you with new Grant Deeds for the new parcel configurations and arrange for the recording of these documents.