



TOWN OF MORAGA

PLANNING DEPARTMENT

LOT LINE ADJUSTMENT SUPPLEMENTAL APPLICATION

Lot Line Adjustment Guidelines

Lot line adjustments are changes in the boundary between two or more existing adjacent parcels, where the land taken from one parcel is added to an adjacent parcel, and where a greater number of parcels than originally existed are not thereby created. A lot line adjustment is where land taken from one parcel is added to an adjoining parcel and where a greater number of parcels than originally existed are not thereby created. Article 1, Section 66412(d) of the Subdivision Map Act defines the circumstances under which lot line adjustments may be approved by a local agency, without filing a tentative map, parcel map or final map.

On January 1, 2002, the State Legislature amended Section 66412(d) to limit the manner in which lot line adjustments can be used, as follows:

1. Lot line adjustments can only be between four or fewer parcels.
2. The parcels must be adjoining.
3. The adjusted parcels must conform to the general plan, zoning and building ordinances.

After the legal descriptions of the parcels and other supporting documents are accepted by the Town Engineer, the lot line adjustment is usually approved administratively by the Planning Director and a Certificate of Compliance is prepared. Occasionally, a lot line adjustment application may be referred to the Planning Commission if general plan or zoning issues are involved, such as setback standards for properties in the "Open Space" district. Conditions may be imposed to make the lot line adjustment conform to the general plan, zoning and building ordinances or to facilitate the relocation of existing utilities, infrastructure, or easements. After approval by the Town, the deed descriptions of the adjusted parcels must be recorded to show the lot line adjustment in the chain of title. If one or more of the parcels affected by a lot line adjustment is encumbered by a deed of trust, a mortgage, or a lien for a special assessment, the instrument should be amended to reflect the new lot lines to avoid creation of an illegal lot if the lender forecloses.

Lot Line Adjustment - Application Fees/Deposits

☐ Lot Line Adjustment

Please see the Town of Moraga [Master Fee Schedule](#) for appropriate fee/deposit and note the following:

- All credit card transactions will incur a 4% processing fee.
- No application will be deemed to be submitted, nor shall the application be reviewed or acted on by the Town, until such fee is received.
- Deposit based projects: The Advanced Planning Surcharge is collected from the deposit. Projects within the Moraga Center and Rheem Park Specific Plan Areas may be subject to review under the Objective Design Standards adopted for those areas, check with Planning staff to determine the appropriate review level.

Please see the Town of Moraga [fee schedule](#) for appropriate fee/deposit and note the following:

- All credit card transactions will incur a 4% processing fee.
- No application will be deemed to be submitted, nor shall the application be reviewed or acted on by the Town, until such fee is received.

A 10% Advanced Planning Surcharge is collected from the deposit based on the project planner's hourly rate. For fee-based applications, the 10% Advanced Planning Surcharge is collected in addition to the application fee.

COMPLETE THE STANDARD PLANNING APPLICATION, AND PROVIDE PROFESSIONAL CONTACT INFORMATION HERE

PROJECT SURVEYOR	PROJECT CIVIL ENGINEER
NAME: _____	NAME _____
ADDRESS: _____	ADDRESS: _____
CITY/STATE/ZIP: _____	CITY/STATE/ZIP: _____
PHONE: _____	PHONE: _____
EMAIL: _____	EMAIL: _____

Submittal Requirements

A. General.

1. Completed Standard Planning Application. (All property owners involved in the lot line adjustment(s) must complete an application form. The names, addresses and telephone numbers of the property owners, applicant, and others involved with the application, such as the applicant's engineer or surveyor shall be included on the application form.
2. Completed Indemnification/Reimbursement Agreement.
3. Completed Lot Line Adjustment Supplemental Application.
4. Deposit (cash, check, credit card). Please have check payable to the Town of Moraga.
5. Electronic plans can be submitted on a USB flash drive or by email or online file service hosting link to planning@moraga.ca.us.

B. Two (2) copies of the Lot Line Adjustment site plan, drawn to scale.

1. North arrow.
2. Drawing scale.
3. The site plan shall be identified as **EXHIBIT A** in large typeface at the top of the plan.
4. The site plan shall include dimensioned lot lines, with bearings, for both the existing and proposed property lines for all parcels involved in the Lot Line Adjustment.
5. The scale of the drawing shall be noted on the plan (a standard engineering scale should be used). The site plan should be drawn at a large enough scale to legibly show the dimensions of the property and the setbacks of the buildings and structures on the lots.
6. The land area to be transferred and resultant net parcels sizes shall be indicated.

7. The assessors parcel numbers of each existing parcel shall be shown on the site plan.
8. Add signature blocks for the Town Engineer and Zoning Administrator as shown below:

REVIEWED BY:

MORAGA TOWN ENGINEER DATE

REVIEWED BY:

ZONING ADMINISTRATOR DATE
TOWN OF MORAGA

9. The Lot Line Adjustment site plan should indicate the stamp and signature of the licensed surveyor or civil engineer that prepared the drawing; however, site plan does not have to be a survey map of the properties unless the applicant wants to install permanent property line markers.
10. Show boundaries of existing easements and identify the purpose of the easements, such as drainage, access, sanitary sewer or scenic easements.
11. If the lot line adjustment involves any property or easements owned by the Town of Moraga, the application will require review by the Town Council and staff will request six (6) additional copies of the site plans after the application or the County Records Office
12. The new “adjusted” parcel Legal Descriptions shall be identified as **EXHIBIT B** in large typeface at the top of the page.
13. If the size of the parcel is increasing in area, then the illegal description would be for the entire parcel including the land that is transferred from another parcel or parcels.
14. If the size of the parcel is decreasing in area, then the legal description would be for the entire parcel including the land that is transferred from another parcel or parcels.
15. The legal description of each adjusted parcels shall include the signature blocks for the Town Engineer and Zoning Administrator as follows.

REVIEWED BY:

MORAGA TOWN ENGINEER DATE

REVIEWED BY:

ZONING ADMINISTRATOR DATE
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C. Additional Documents. (Applicable based on the specifics of the project)

1. A statement from the current property owner of each affected parcel, authorizing the lot line adjustment. The statement(s) shall be signed by the property owner(s) and shall be notarized. If any of the property owners is a corporate body, such as a homeowner’s association, then at least two members of the Board of Directors shall sign a resolution approving the proposed lot line adjustment and the signatures shall be notarized.
2. One copy of a preliminary title report not more than six (6) months old for each existing lot to be adjusted
3. A written statement from the applicant (or representative) stating reasons for the lot line adjustment and identifying the subject parcels by parcel number, ownership, address etc. Please note that a lot line adjustment cannot be approved if it will reduce the area of any lot smaller than the minimum lot size required in the zoning district or create any variance conditions, such as a building setback that is less than that required in the zoning district. However, an applicant may apply for a lot line adjustment to avoid the need for a variance. The written statement shall also describe any easements on the property that would be affected by the proposed lot line adjustment and any improvements on the property, including subsurface improvements such as drainage pipes that will need to be relocated as a consequence of the lot line adjustment.

4. A letter from the current property owner(s) stating whether he/she had any knowledge of a violation of the Subdivision Map Act or Moraga Subdivision Ordinance.
5. If the proposed lot line adjustment has any impact to an existing public utility easement, drainage easement with a natural creek channel, or access easement, the applicant shall have their application reviewed by the applicable agencies listed below to assure compliance with the requirements of those agencies prior to submittal to the Planning Department. An applicant shall also submit any comments from these agencies with regard to the application.
 - ☐ Pacific Gas & Electric
 - ☐ Contra Costa County Central Sanitary District
 - ☐ East Bay Municipal Utility District
 - ☐ Other Public Utility (i.e. Pacific Bell, Cable TV, etc.)
 - ☐ Moraga-Orinda Fire District (Access Easement Alteration)
 - ☐ California Department of Fish and Game (Creek Channel Alteration)
6. Existing legal description of each parcel involved in the lot line adjustment. This should be from the most recent Title Report for the properties or the County Records Office
7. Proposed Legal Descriptions of the “adjusted” parcels and closure calculations prepared by a licensed surveyor or civil engineer.
8. Other plans, such as proposed building or fencing plans, that have a bearing on the proposed lot line adjustment and any information deemed necessary by the Planning Department to make a determination that the adjusted parcels will be in conformance with the general plan and zoning ordinance.