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**ORDINANCE NO. \_\_\_\_\_**

AN ORDINANCE ADOPTING AMENDMENTS TO TITLE 120 OF THE EL DORADO COUNTY ORDINANCE CODE

**THE BOARD OF SUPERVISORS OF THE COUNTY OF EL DORADO DOES ORDAIN AS FOLLOWS:**

**SUBPART 1. MAJOR LAND DIVISIONS  
CHAPTER 120.36 / GENERAL PROVISIONS**

**Section 1.** Sec. 120.36.020 entitled "Purpose" is hereby amended as set forth below:

The ordinance from which this subpart is derived is enacted for the purpose of implementing the Subdivision Map Act. The Board of Supervisors as the adoptive agency and authority assigns the duties outlined within this subpart to the County Planning Commission, ~~and~~ Director of Planning and Building **and the County Surveyor, as more specifically set forth herein.**

(Prior Code, § 9602; Code 1997, § 16.36.020; Ord. No. [5051](#), § 2, 4-18-2017)

**CHAPTER 120.53 / LOT LINE ADJUSTMENTS**

**Section 2.** Sec. 120.53.021 entitled "Approval of lot line adjustments" is hereby amended as set forth below:

1. A lot line adjustment shall not be permitted without the approval of the ~~Director of Planning and Building and the County Surveyor~~ **County Surveyor**. For adjustments between parcels owned by different individuals, the lot line adjustment shall be approved if:

- A. The real property taken from a parcel is added to an adjacent parcel of real property;
- B. A greater number of parcels than originally existed is not thereby created;
- C. Real property taxes are current on all parcels involved in the proposed boundary line adjustments;
- D. All record title interest holders have consented to the adjustments;
- E. The resulting parcels conform to local zoning and building ordinances; and

F. A sufficient legal description is provided by the parties desiring the lot line adjustments.

2. For adjustments between parcels with common ownership, the lot line adjustment shall be approved if:

- A. The real property taken from a parcel is added to an adjacent parcel of real property;
- B. A greater number of parcels than originally existed is not thereby created;
- C. Real property taxes are current on all parcels involved in the proposed lot line adjustments;
- D. All record title interest holders have consented to the adjustments;
- E. The resulting parcels conform to local zoning and building ordinances; and
- F. A map, for which a tentative map is not required, delineating the resulting internal boundary lines shall be submitted to the County Surveyor for checking and filed with the County Recorder.  
(Code 1997, § 16.53.020; Ord. No. 4074, § 1(part), 1989; Ord. No. 5051, § 2, 4-18-2017)

**Section 3.** Sec. 120.53.025 entitled "Recording" is hereby amended as set forth below:

A lot line adjustment shall be reflected in a deed and ~~a record of survey~~ shall be filed with the County Recorder. **A record of survey shall be recorded if required by Section 8762 of the Business and Professions Code, per the Subdivision Map Act Section 66412 (d) and 66451.10 (b) (1).** ~~unless the new boundary line appears on a final map, parcel map, official map or record of survey map previously filed with the County Recorder.~~

(Code 1997, § 16.53.025; Ord. No. 4074, § 1(part), 1989)

**Section 4.** Sec. 120.53.030 entitled "Application requirements" is hereby amended as set forth below:

Lot line adjustment requests shall be submitted to the ~~Department of Planning and Building~~ Department **of the County Surveyor** on **the** form provided by the Department. The application shall be accompanied by a filing fee as established by the most current resolution adopted by the Board of Supervisors and shall include, but not be limited to, the following information:

- A. An 11" x 17" exhibit ~~prepared and stamped by a licensed land surveyor or civil engineer licensed to practice land surveying. The exhibit shall be drawn to scale showing all existing and proposed boundaries of affected properties.~~ **In addition to any other items requested on the application checklist, the exhibit must show exact location of roads, any existing or proposed utilities, existing easements, and existing or proposed structures with dimensions to the proposed boundary line.**
- B. Current deeds describing all lots.
- C. Written consent from all current property owners.

(Code 1997, § 16.53.020; Ord. No. 4810, § 1, 2-10-2009 ; Ord. No. 5051 , § 2, 4-18-2017)

**Section 5.** Sec. 120.53.040 entitled "Procedure/approval process" is hereby amended as set forth below:

Upon receipt of a complete application, the Department **of the County Surveyor** may distribute said documents to interested agencies for review and comment. No public notice is required.

- A. Within 30 days of accepting a complete application, the Department of the County Surveyor shall determine if the proposed lot line adjustment complies with all applicable State laws and County ordinances.
- B. A boundary line agreement can be memorialized through the Department of the County Surveyor application or referred to the County Surveyor for approval subject to the discretion of the Director County Surveyor.

(Code 1997, § 16.53.040; Ord. No. 4810, § 1, 2-10-2009 ; Ord. No. 5128 , § 3, 9-1-2020)

**Section 6.** Sec. 120.53.090 entitled “Appeals” is hereby amended as set forth below:

- A. Any decision by the Department of the County Surveyor may be appealed by the applicant to the Director County Surveyor, whose decision shall be final, except for those issues involving road and public utility easements. For those excepted issues, the decision of the Director County Surveyor can be appealed to the Zoning Administrator subject to the timelines indicated in Subsection B of this section. The decision of the Zoning Administrator shall be final.
- B. An appeal must be filed within ten working days from the decision by the Department of the County Surveyor by completing the appeal form and submitting said form together with the applicable fee, as established by resolution of the Board of Supervisors, to the Department of the County Surveyor. The appellant shall clearly identify on the appeal form the specific reasons for the appeal. The Director County Surveyor shall consider all issues raised by the appellant, and may consider other relevant issues related to the lot line adjustment on appeal.
- C. The decision on an appeal shall be rendered no more than 30 days from receipt of a completed appeal form and fee. The appellant may withdraw the appeal at any time prior to the final decision being made by the Director County Surveyor.
- D. Final recordation of the lot line adjustment shall be stayed until the conclusion of the appeal period set forth in Subsection B of this section. A properly filed appeal shall stay the recordation of the lot line adjustment until the appeal is decided.

(Code 1997, § 16.53.090; Ord. No. 4810, § 1, 2-10-2009 )

**Section 7.** Effective Date.

This Ordinance shall become effective 30 days following the adoption hereof.

PASSED AND ADOPTED by the Board of Supervisors of the County of El Dorado at a regular meeting of said Board, held on the \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_, by the following vote of said Board:

**ATTEST** Ayes:  
**Kim Dawson**  
Clerk of the Board of Supervisors

By \_\_\_\_\_  
\_\_\_\_\_  
Deputy Clerk Noes:

Absent:

\_\_\_\_\_

Chair, Board of Supervisors

**APPROVED AS TO FORM  
DAVID LIVINGSTON  
COUNTY COUNSEL**

By: \_\_\_\_\_

Title: \_\_\_\_\_