

# Nevada County Codes

**G. Expiration.** An approved or conditionally approved boundary line adjustment shall be subject to the same time limits and extension provisions as provided for in Section 66452.6 of the Subdivision Map Act.

**H. Recording Boundary Line Adjustments.** Boundary line adjustment approvals are not effective until recorded in the Office of the County Recorder. Upon recordation of a boundary line adjustment all pre-existing lot lines are deemed erased by the newly recorded adjustment. Documents used to record boundary line adjustments shall be submitted to the County Surveyor for review and recordation and shall include the transfer deeds that reflect the new property descriptions, executed by all affected owners of record. Any existing deeds of trust shall be revised to reflect the new property descriptions and shall be approved by the beneficiaries of said deeds of trust. Boundary line adjustments shall be reflected in recorded documents in one of the following ways:

1. Where required by Business and Professions Code Section 8762, a record of survey shall be submitted to the Department of Planning for recordation. (Ord. 2239)
2. If a record of survey is not prepared for the boundary line adjustment, the document used to convey the property shall be submitted to the County Surveyor and shall be accompanied by a sketch map depicting the adjusted boundaries. The sketch map shall be signed and sealed by a licensed land surveyor or civil engineer, shall include the County file number approving the adjustment and shall include a statement that a record of survey is not required in conformance with Section 8762 of the Business and Professions Code. (Ord. 2090)

For additional information on the Nevada County Zoning Regulations please refer to the Nevada County Codes webpage at:

<https://www.nevadacountyca.gov/1073/Land-Use-Development-Codes>

To see what else the Planning Department does visit the Nevada County Planning Department Homepage at:

<https://www.nevadacountyca.gov/512/Planning-Department>

## COUNTY OF NEVADA

950 Maidu Ave  
Suite 170  
Nevada City, CA 95959  
Phone: 530-265-1222  
Email: [planning@nevadacountyca.gov](mailto:planning@nevadacountyca.gov)



## Planning Department

*Planning for the Future of Nevada County*



## Boundary Line Adjustments



**Purpose.** The purpose of this Section is to establish an administrative procedure and standards for reviewing boundary line adjustments, consistent with the State Government Code and County ordinances.

# Boundary Line Adjustments

## Sec. 12.04.030

**A. Purpose.** The purpose of this Section is to establish an administrative procedure and standards for reviewing boundary line adjustments, consistent with the State Government Code and County ordinances.

### **B. Definitions.**

**1. Boundary Line Adjustment** - The adjustment of property lines between four or fewer adjoining parcels where land taken from one parcel is added to an adjoining parcel, and where a greater number of parcels than originally existed is not thereby created. A boundary line adjustment may also combine 2 or more adjacent parcels.

**C. Application Requirements.** Applications for boundary line adjustment review shall be submitted to the Planning Department on forms 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 the following information:

1. An exhibit map 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 boundaries of affected properties.

2. Current deeds describing all parcels.

3. For parcels not created by subdivision or parcel map, a copy of a deed recorded prior to March 4, 1972 that describes and conveys the parcels. If the parcels are presumed to be legally created, submit a Chain of Title issued by a title company and all other supporting documentation. If the County surveyor determines that insufficient evidence has been provided to document legally existing parcels, a Certificate of Compliance may be required.

4. A document prepared by a title company showing existing encumbrances, if any.

Upon receipt of a complete application, the Planning Director will distribute application documents to interested agencies for review and comment. Within 30 days of accepting a complete application, the Planning Director shall determine if the proposed boundary line adjustment complies with all applicable State laws and County ordi-

nances. The Director may refer review of a proposed Boundary Line Adjustment to the Zoning Administrator pursuant to Section 5.5.E.4 of this Chapter or shall approve, conditionally approve or deny the application.

**D. Procedure.** Upon receipt of a complete application, the Planning Director will distribute application documents to interested agencies for review and comment.

1. Within 30 days of accepting a complete application, the Planning Director shall determine if the proposed boundary line adjustment complies with all applicable State laws and County ordinances. The Director may refer review of a proposed Boundary Line Adjustment to the Zoning Administrator pursuant to Section 5.5.E.4 of this chapter or shall approve, conditionally approve, or deny the application.

**E. Standards for Approval.** In approving a boundary line adjustment, the Director shall determine that all of the following standards have been met:

1. Boundary line adjustments shall not result in conflicts with site development standards nor with any previous land division or land use approvals that require a minimum parcel size or density, including parcels that are smaller than the minimum parcels size but were created as a result of density averaging or clustering

2. A boundary line adjustment cannot result in additional parcels or additional density nor can it result in the potential for further division of parcels.

3. No parcel may be adjusted if the resulting parcel will be reduced in size and will not meet the minimum Environmental Health standards contained in Chapter VI and Chapter X of the Land Use and Development Code.

4. All adjusted parcels shall conform to the minimum parcel sizes required by the zone district, except that:

a. Adjustments to parcels that conform to minimum parcel sizes, that are proposed in order to re-align a property line with a well defined physical feature, such as a water course or recorded roadway, may be approved if the resulting nonconforming size parcel complies with all other size development standards,

including the minimum parcel sizes established by Policy 3.19 of the Nevada County General Plan.

b. Adjustments to parcels that are nonconforming in size, and which do not meet the minimum parcel size established by Policy 3.19 of the General Plan, may be further reduced if the purpose of the adjustment is to re-align a property line with a well defined physical feature, such as a water course or recorded roadway, or with a zoning district boundary, and if the parcel being reduced in size is developed with an allowable use and satisfies all applicable Environmental Health Standards for sewage disposal and water supply.

c. Parcels that are nonconforming in size may be further reduced in size if the resulting parcels conform with all required site development standards, including the following minimum parcel sizes established by Policy 3.19 of the Nevada County General Plan:

1) Parcels served by public domestic water and a public sewage system shall maintain a minimum 10,000 square feet except for low/moderate income housing where the parcel size may be reduced;

2) Parcels served by public domestic treated water and an individual sewage disposal system shall maintain 1.5 acres;

3) Parcels served by a groundwater well and public sewerage system shall maintain 1.5 acres; and

4) Parcels served by a groundwater well and an individual sewage disposal system shall maintain 3 acres.

The minimum parcel sizes established by Policy 3.19 may be increased where other considerations, including adverse soil, geologic or topographic conditions may warrant larger parcel sizes.

**F. Conditions of Approval.** Approval of a boundary line adjustment shall be conditioned as necessary to ensure compliance with the Nevada County General Plan, and all zoning and building regulations, to require prepayment of property taxes, and to facilitate the relocation of existing utilities, infrastructure or easements.