



**CITY OF ENCINITAS**  
Development Services Department  
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# CERTIFICATE OF COMPLIANCE

A Certificate of Compliance is recorded to complete Lot Mergers, Lot Line Adjustments, and Parcel Map Waivers (lot consolidations and condominium conversions) and following a request for a written confirmation that a parcel or lot is legal.

## Submittal Requirements

The following items are required for application submittal to the Development Services Department:

1. **Application:** Completed standard Administrative Permit Application.
2. **Use Statement:** Statement describing existing use of property and any improvements planned for the immediate future.
3. **Grant Deed:** Grant Deed(s) with legal description of all subject parcels prior to action.
4. **Preliminary Title Report:** A recent Preliminary Title Report for all subject parcels may be required to determine if and where easements or other encumbrances on the properties exist.
5. **Fee:** Payment of applicable fee(s) pursuant to the current fee schedule. For Lot Line Adjustments, the fee paid for the Lot Line Adjustment includes Certificate of Compliance review; an additional fee for review of the Certificate of Compliance is not required.
6. **Plat map:** Plat map of Record of Survey (ROS) quality for recordation prepared, signed, and stamped by a California-licensed surveyor or civil engineer.
  - a. A lot merger or lot consolidation of existing, legal subdivision lots may not require a plat map.
  - b. A request for written confirmation that a parcel or lot is legal may not require a plat map.
  - c. For Lot Line Adjustments, the plat map is required to show existing boundaries and proposed changes. The plat map must be signed by owners of all properties involved in the lot line adjustment.
  - d. For Condominium Conversions, the plat map must indicate the number of condominium units created.
  - e. Above requirements may be waived by the Development Services Director and/or City Engineer as appropriate.
7. **Legal Description:** Typed legal description of newly created parcels prepared, signed, and stamped by a California-licensed surveyor or civil engineer. Certificates of Compliance for written confirmation that a parcel or lot is legal may not require a legal description to be prepared by a California-licensed surveyor or civil engineer. A legal description must be an original or clear copy with 1 ½- inch margins on all sides.
8. **Transfer Deeds:** For Lot Line Adjustments between properties held in different ownerships, final transfer deeds for the transferred portions of the property.
9. **New Grant Deeds:**
  - a. For Lot Line Adjustments, final, new Grant Deeds for the subject lots after the adjustment.
  - b. If the legal description prepared for a Certificate of Compliance for a lot consolidation or Lot Merger is different from the existing Grant Deed, an original and two (2) copies of a new Grant Deed reflecting the changed legal description.

## Process

1. See the Lot Line Adjustment handout for details on the Certificate of Compliance process for Lot Line Adjustments.
2. See the Condominium Conversion/Parcel Map Waiver handout for details on the Certificate of Compliance process for condominium conversions accomplished through the parcel map waiver process.
3. For Lot Mergers and lot consolidations:
  - a. New legal descriptions, plats, and Grant Deeds (when required) are routed to the City Engineer, or designee, for technical review to determine if the instruments are complete, correct, and in order.
  - b. Planning staff reviews the new legal descriptions, plats, and Grant Deeds (when required) for zoning compliance and compliance with any other applicable rules, regulations, and/or conditions.
  - c. If new Grant Deeds are required, the new Deeds are recorded and conformed copies delivered to Planning prior to recordation of the Certificate of Compliance.
  - d. Upon satisfactory completion of review by Planning and the City Engineer, the Certificate of Compliance is recorded at the expense of the applicant.
  - e. In some circumstances and with prior Planning approval, an approved Grant Deed and Certificate of Compliance may be recorded concurrently, with the Grant Deed recorded first and Certificate of Compliance recorded after, at the expense of the applicant. Conformed copies are then delivered to Planning.