

CERTIFICATE OF COMPLIANCE

AN INFORMATIONAL GUIDE



PLANNING DEPARTMENT

21000 HACIENDA BLVD.
CITY OF CALIFORNIA CITY,
CALIFORNIA
93505-2293

(760) 373-7141
(760) 373-7529 (fax)

E-Mail:
planning2@ccis.com

Web Address:
www.californiacity.com

WHAT IS A CERTIFICATE OF COMPLIANCE?

A Certificate of Compliance is a legal document which certifies that a parcel of land complies with the Subdivision Map Act. In other words, it is a document that states the City of California City (City) accepts the fact that a particular parcel of real property has been legally created.

There are a number of different ways to subdivide real property. The most common way is by tract map, parcel map, or parcel map waiver. These three (3) processes are recognized by the State of California and the City as being legal means of subdividing. However, many parcels were created long before these three (3) processes became widely accepted. Generally, if a parcel was created without using one (1) of these processes, yet was created prior to March 4, 1972, then it is considered to be legally created. A Certificate of Compliance is the tool used by the City to inform title companies, lenders, and the general public that such parcels comply with the subdivision laws.

WHAT ARE THE SUBMITTAL REQUIREMENTS FOR A CERTIFICATE OF COMPLIANCE?

The process is initiated by the submittal of a written request, if the property requires only a Certificate of Compliance. The letter of request should state the name of the applicant, phone number, mailing address, and a description of what is being requested. The following information must accompany the written request:

- * A copy of the current deed to the property;
- * A copy of the instrument that created the parcel (grant deed, deed of trust, contract of sale, etc.); and
- * Fee due. The fee for a Certificate of Compliance (each land division) is \$300.00 plus \$25.00 contiguous lot or parcel (maximum of 4).

Occasionally, additional information is required. This may include: a complete title history of the parcel; payment coupons, ledgers or other evidence that payments have been made on a contract of sale; a legal description of the property; preliminary title report or title policy; and any other evidence necessary to prove when the parcel was created. If any of this other information is needed, the planner assigned to your request will contact you to request it. In lieu of a written request, the filing of an application for any of the following: a lot merger, a lot line adjustment, an unmerger or parcel map waiver would be accepted. A separate application fee applies for each, in addition to the Certificate of Compliance fee.

HOW LONG DOES IT TAKE TO PROCESS A CERTIFICATE OF COMPLIANCE?

The Planning Department will process requests for Certificates of Compliance within thirty (30) days. This time may be extended if additional information is needed. Once a Certificate of Compliance is prepared, typed, and signed, it must be recorded. It will take two (2) to three (3)

days to record the document once the “recording fees” have been received. A Certificate of Compliance may be approved by the Planning Commission without a Public Hearing.

CAN A CERTIFICATE OF COMPLIANCE BE ISSUED FOR ILLEGAL PARCELS?

On occasion, we find that parcels have been created after March 4, 1972, in violation of the Subdivision Map Act and local ordinance. In such instances, Certificates of Compliance can still be issued; however they are called **CONDITIONAL CERTIFICATES OF COMPLIANCE**. Conditions are imposed that require certain improvements or dedications be made. Additionally, the lot size must comply with the general plan and zoning. Failure to comply with the conditions renders the parcel as “unbuildable.” Building permits cannot be issued for parcels that have Conditional Certificates of Compliance unless all of the conditions have been satisfied. A Conditional Certificate of Compliance is viewed the same as a Certificate of Compliance in regard to title insurance and sale of the property.

The conditions imposed upon a Conditional Certificate of Compliance may vary. If the land is still owned by the persons who created the violation, then the conditions will reflect the requirements of today’s subdivision regulations. However, if the property has been sold, where the person creating the violation no longer owns the property, then conditions are imposed that reflect the subdivision requirements at the time the violation occurred.

ARE CERTIFICATES OF COMPLIANCE USED FOR ANYTHING ELSE?

The City uses the Certificate of Compliance as a means of officially recognizing the legal creation of a parcel. Certificates are issued for parcels created by the parcel map waiver and lot line adjustment processes. Additionally, Conditional Certificates of Compliance are often issued for “designated remainders” of parcel maps or tract maps.

DOES A CERTIFICATE OF COMPLIANCE MEAN THAT ALL LAWS ARE SATISFIED?

The issuance of a Certificate of Compliance simply means that the parcel complies with the Subdivision Map Act and the Kern County Land Division Ordinance. It does not mean that it complies with the Zoning Ordinance, Building Code, or any other law or ordinance. Additionally, the issuance of a Certificate of Compliance does not necessarily mean that the lot has an approved means of access. Zoning, building codes, and access are not criteria used to determine the issuance of a Certificate of Compliance. It is quite feasible that a Certificate of Compliance can be issued for a parcel that is otherwise “unbuildable.”

Staff is available to answer any questions you may have regarding the Certificate of Compliance process. Please telephone (760) 373-7141.