

July, 2012

DETERMINATION OF COMPLIANCE PROCESS
HOW TO DETERMINE IF YOUR LOT IS RECOGNIZED
BY THE CITY OF RIVERSIDE AS BEING DIVIDED IN
COMPLIANCE WITH STATE LAW AND CITY ORDINANCE.

The division of land within the City of Riverside is regulated by Title 18 of the City Municipal Code, in conformance with the State Subdivision Map Act. Lots divided without following the procedures outlined in this law cannot be developed until they are brought into compliance. You have possibly been sent here by the Planning Department because City records did not clearly show the status of your parcel. This guide will assist you in completing the Determination of Compliance process and providing us with the necessary information to allow us to make that determination.

First, the City's recognition of your lot has nothing to do with the legal ownership of the property. It is how it was created that concerns us. As for the lot being taxed, the County Assessor is charged with collecting revenues, and has nothing to do with the approval of lots under this law.

Basically, what we need to find out is if your property was divided by the proper method. The proper method is dependant on the location of the parcel and the original date of the division. The date and location will determine what laws were applicable.

For example, if your property was within the city limits on February 10, 1948, that is the effective date of the law for you. If your property was in the County of Riverside and annexed into the City later, your effective date is the date the annexation was adopted but no later than March 4 1972. (As an example, Jan. 23, 1964 for parts of La Sierra).

It is also very important to remember that being a compliant property **is not** a guarantee that you can develop your property with the improvements you are contemplating. See Planning for details, but development is dependant on lot size and use, among other factors.

Determination of Compliance Process

- 1) Ask a Land Services Staff or the Development Services Representative at the front counter to get you a Determination of Compliance application. Have them enter the **Effective Date** and **Annexation Number** that applies to your property.
- 2) Read page 1 carefully !!. If you return with the completed application and have not found the correct documents to establish your parcel as having been legally divided you will be required to apply for and complete the Certificate of Compliance Process. **IF YOU DO NOT COMPLETE THIS PROCESS THE CITY IS REQUIRED TO INITIATE A NOTICE OF VIOLATION AGAINST YOUR PROPERTY WHICH WILL PROHIBIT THE PROPERTY FROM BEING SOLD, LEASED, OR FINANCED.**
- 3) Complete the remaining portions of the Determination of Compliance application

and find the required documents. Unless you are skilled at using the County Recorder's records, contact a local title company and obtain a copy of a deed which was recorded prior to the effective date that applies to your lot. For your lot to be recognized the deed must describe your lot in the same configuration as your current deed. The Title Co. may charge a fee for this research. If they tell you they can not find a deed recorded that early, get the earliest deed showing the lot split that created your property and/or the adjacent property from a larger parcel.

If you cannot find such a document then obtain a copy of any building or development permits from the City or County Building Departments that have been granted since your parcel was created. It is possible that a Certificate of Compliance can be granted based upon prior development permits.

- 4) After you have obtained the research, bring it, together with the completed application form and a check payable to the City of Riverside for \$361.90, to the Land Services section of Public Works, on the third floor of City Hall. A staff member will review the application and attached documents for completeness and submit the application for review. Within 7 days staff will determine if your parcel is in compliance.
5. If your parcel is in compliance staff will prepare a Certificate of Compliance and have the Planning Director or his designee sign it. You will be contacted and required to record the Certificate of Compliance with the County Recorder. If wish to obtain a building permit immediately, staff will provide you a copy that the County Recorder can stamp with the recording information. Upon returning with the copy you will be allowed to proceed with obtaining your other permits.

If you can wait for your other permits the County Recorder will mail the original document to the City in 3 to 4 weeks. In either case once the City has received the original document from the County Recorder we will make a copy for the City's records and forward the original to you. Once this has occurred there will never again be a doubt as to your parcels status.

6. If your parcel is not in compliance, and you are not party to the illegal division, then you will be required to apply for and obtain a Certificate of Compliance. The City has already reduced the Certificate of Compliance fee by the \$ 361.90 you have paid as part of the Determination of Compliance process so that effort was not wasted. Since each parcel is different the process of obtaining a Certificate of Compliance can range from simple to difficult. See the Planning Department for Details.

Again, although your parcel may be compliant, or can be made compliant, it is possible that the development or improvements you wish to pursue will not be permitted. See Planning for details.