



**CERTIFICATE OF COMPLIANCE PROCESS**  
DEPARTMENT OF PLANNING AND BUILDING SERVICES  
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A Certificate of Compliance is a document that is issued by the County which, when recorded in the Official Records, provides constructive notice that a parcel complies with the provisions of the Subdivision Map Act and any local ordinances enacted pursuant thereto. The Subdivision Map Act, which is part of the Government Code of the State of California, serves to regulate divisions of land that occur within the state and serves as a framework for local subdivision ordinances to be enacted from. Any person owning real property in Lassen County may request that the County determine whether the real property complies with the provisions of the Subdivision Map Act and County subdivision regulations.

There are two types of documents that can be issued if an application is submitted, these being either a Certificate of Compliance (C.O.C.) or a Conditional Certificate of Compliance (C.C.O.C.). A C.O.C. is issued if a parcel is determined to be in compliance with the Subdivision Map Act and local ordinances and *will not* have any conditions imposed on it. A C.C.O.C. is issued if a parcel is determined not to be in compliance with the provisions of the Subdivision Map Act and local ordinances and *will* have conditions imposed that must be completed before a permit or other grant of development may be issued. The conditions that are imposed on a C.C.O.C. are typically those that would have been required if the parcel had been created legally, using the land division process, and are developed by those departments and agencies that become involved with land development projects.

Counties within California are prevented under Section 66499.34 of the Subdivision Map Act from issuing permits for development if a parcel is not in compliance with this portion of the Government Code. It is important to note that issuance of either a C.O.C. or a C.C.O.C. does not automatically guarantee that a permit for development will be issued for a parcel, as the permitting process is separate from the Certificate of Compliance process.

### APPLICATION

Certificate of Compliance application forms are available from the Department of Planning and Building Services. To initiate its processing, the application must be completed and returned to the Department of Planning and Building Services along with the following:

1. A legal description of the parcel to be considered.
2. A map depicting the parcel for which a Certificate of Compliance is requested.
3. A complete chain of title for the subject parcel including, at a minimum, the following:
  - a. A chronological summary of each record cited in the chain.
  - b. Photocopies of all documents recorded in the Lassen County Recorder's Office which demonstrate the complete sequence of ownership for the subject parcel from the time it was originally granted from the Federal government to the point where the applicant acquired title to the parcel.
4. Any additional information requested by the Department of Planning and Building Services.
5. An application fee of \$600.00. If, during review of a Certificate of Compliance application, it is determined that the subject property complies with the provisions of the Subdivision Map Act and with Title 16 of the Lassen County Code, the Lassen County Surveyor shall cause a Certificate of Compliance to be recorded in accordance with said Act and Title, and the Director of the Department of Planning and Building Services shall cause \$600.00 of the application fee to be refunded to the applicant since it is not necessary to establish

conditions for the Certificate of Compliance. Some chains of title may be lengthy and detailed. The Department of Planning and Building Services maintains a list of local title companies that may be in a position to assist with creation of a chain of title. Prior to project completion, necessary fees to record the Certificate of Compliance will also be required from the applicant.

The application will be reviewed for completeness within 30 days of its submittal. Failure to provide all required information will result in the application being returned as incomplete.

### APPLICATION REVIEW

Upon acceptance as complete, the application will be reviewed by the County Surveyor to determine whether the subject parcel was created in compliance with the Subdivision Map Act and any applicable local ordinances. This review of the application is normally completed within 60 days of the application being accepted as complete. If it is determined that the parcel was created in compliance with these laws and rules, the County Surveyor will record a Certificate of Compliance in the Official Records of Lassen County for the parcel described in the application.

If it is determined that the parcel was not created in compliance, the County Surveyor shall request review by the Director of the Department of Planning and Building Services in order to determine the conditions that shall be applied to a Conditional Certificate of Compliance.

### REVIEW BY THE DIRECTOR OF PLANNING AND BUILDING SERVICES

If review is requested by the Director of the Department of Planning and Building Services, the Director, or designated representative, shall render the final decision regarding which conditions shall be applied to a Conditional Certificate of Compliance. The determination that the real property does not comply with the provisions of the Subdivision Map Act or applicable local ordinances allows conditions to be established in accordance with the provisions outlined in Section 66499.35(b) of the Subdivision Map Act. In accordance with said Section 66499.35(b), *“A local agency may, as a condition to granting a Conditional Certificate of Compliance, impose any conditions that would have been applicable to the division of property at the time the applicant acquired his or her interest therein, and that had been established at that time by this division or local ordinance enacted pursuant to this division, except that where the applicant was the owner of record at the time of the initial violation of the provisions of this division or of the local ordinances, who by a grant of the real property created a parcel or parcels in violation of this division or local ordinances enacted pursuant to this division, and the person is the current owner of record of one or more of the parcels which were created as a result of the grant in violation of this division or local ordinances, then the local agency may impose any conditions that would be applicable to a current division of the property.”*

The Director of Planning and Building Services, or designated representative, shall request recommended conditions from applicable departments/agencies and shall authorize a Conditional Certificate of Compliance to be filed by the County Surveyor for recordation in the Official Records of Lassen County.

A recorded Conditional Certificate of Compliance shall serve as constructive notice to the property owner who has applied for the certificate, or a grantee of the property owner, or any subsequent transferee or assignee of the property, that the fulfillment and implementation of all conditions shall be required prior to issuance of a permit or other grant of approval for development of the property.

### APPEALS

Any person dissatisfied with the Director of Planning and Building Services determination regarding a Certificate of Compliance application may submit an appeal to the Lassen County Planning Commission. Appeals must be made in writing and be submitted, along with the filing fee in effect at the time, to the Planning Commission through the Department of Planning and Building Services within fifteen (15) days of the decision made by the Director.

Any person dissatisfied with the decision of the Lassen County Planning Commission related to its determination on the Certificate of Compliance application may appeal to the Lassen County Board of Supervisors. Appeals must be made in writing and be submitted, along with the filing fee in effect at the time, to the Lassen County Clerk within ten (10) days of the Planning Commission's action.