

INSTRUCTIONS



DEEMED APPROVED PRIVATE STREET Filing Instructions

Purpose

The Deemed Approved Private Street process allows review for compliance of an access driveway located within a private road easement when the dwelling and access driveway existed and recorded prior to September 6, 1961, pursuant to Los Angeles Municipal Code (LAMC) Section 18.00 C of Chapter 1.

Related Code Section

State Law

The State Subdivision Map Act grants the local agency authority to issue a Conditional Certificate of Compliance (*Deemed Approved Private Street*) through Section 66499.35.

Local Agency

LAMC Section 18.00 C of Chapter 1 authorizes Deemed Approved Private Street status.

Filing Requirements

The following items shall be submitted when requesting a Deemed Approved Private Street:

City Planning Application Form

- Two copies of the City Planning Application Form ([CP13-7771](#)). The Application Form shall be signed and notarized by all recorded owners of the properties involved.
- Under the Project Description, include whether the project is an addition to or a remodel of an existing dwelling unit on the property. The construction of new dwelling unit(s) is not allowed for a Deemed Approved Private Street.

Legal Description

- Two copies of a legal description of the Private Street, labeled as Exhibit A. Proposed legal descriptions must not expand beyond the boundaries of the existing parcels as established by the Bureau of Engineering (BOE) – Land Records Section. The legal descriptions shall:
 - Be provided on 8 1/2" x 11 paper

- Reviewed and stamped by a licensed surveyor or by a civil engineer, provided the civil engineer was registered before January 1, 1982 (License # 33,965)
- Coincide with the submitted Private Street Map

The Applicant and Surveyor are responsible for the correct legal descriptions of the Private Street and any adjoining parcels involved.

Private Street Map

- Two copies of the Private Street Map, labeled as Exhibit B. See below for Technical Requirements.

Title Report

- One copy of a current Title Report, dated within 12 months. If the description contained in the Title Report refers to a previously recorded document or map for the property description, those documents or maps shall also be submitted.

Land Records Map or District Map

- Two copies of the Land Records Map or District Map. These can be obtained from the BOE – Land Records Section, who can be contacted at eng.landrecords@lacity.org. Highlight the property and Private Street easement with different colors on one map.

Access Driveway

- Two copies of documentation proving that an access driveway existed prior to September 6, 1961, and that the access driveway is located within the private road easement.

Executed and Recorded Easement

- If available, two copies of an executed and recorded easement describing the property, access driveway and road easement. This can be obtained from the Los Angeles County Registrar Recorder.
 - If the description contained in the deed refers to a previously recorded document, map, or easement for the property description and access easement, those documents, maps, and/or easements shall also be submitted.
 - The legal description of the property and Private Street easement shall be highlighted on one map with different colors, corresponding to those on the recorded document next to the respective legal descriptions. The map must be certified by a Professional Land Surveyor pursuant to California Business and Professions Code 8700, *et seq.*

County Assessor's Map

- Two copies of the County Assessor's Map. Highlight the property and Private Street easement with different colors on one map.

Permits and Certificates of Occupancy

- Two copies of building permits and certificates of occupancy issued for structures on or before September 6, 1961, and documentation proving that the structures still exist. These documents can be obtained from the Los Angeles Department Building and Safety (LADBS) Records, located at 201 North Figueroa Street, Room 110.

California Environmental Quality Act (CEQA)

- Environmental clearance documentation is required. As this process is only to acknowledge an existing roadway, Deemed Approved Private Street applications typically qualify for a Categorical Exemption. A Notice of Exemption (NOE) shall be prepared by Development Services Center (DSC) Staff.

Vicinity Map

- Provide a map (e.g., Google Maps) depicting the nearby street system, public facilities, and other significant physical features, with the project site highlighted.

Photographs

Index Map

- Provide a map (e.g., Assessor's Map, ZIMAS Map, or District Map) with arrows and numbers keyed to the photographs indicating from where each photo was taken and toward which direction.

Color Photographs

- Provide color photographs taken recently and depicting current conditions of the entire project site and surrounding area. Photos of the project site should show existing structures, trees, shrubs, walls/fences, signage, streets, curb and gutters, and parking areas, as applicable. Photos of the surrounding area should clearly represent the context of the proposed project to the neighborhood. Photographs should be printed, no more than two to a page, captioned as to the content, and keyed to number on an accompanying *Index Map* (see above). An aerial view is also recommended.

Duplicate Case File

In addition to the materials provided above, a Duplicate Case Files is required for each Certified Neighborhood Council (CNC) serving the area in which the project is located.

- Submit in an unsealed manila envelope labeled with a DSC return address
- Address to the CNC for the area in which the project is located. Names and addresses of CNCs can be obtained from the “Jurisdictional” tab in ZIMAS
- Affix envelope with adequate postage

Each Duplicate Case File shall include:

- City Planning Application Form
- NOE (to be provided by DSC Staff)
- Vicinity Map
- Index Map and Color Photographs
- One 11” x 17” reduced size Private Street Map
- Additional application specific materials

Electronic Copy of Application Materials

Provide an electronic copy of the application materials on a USB flash drive or a CD. The following items must be saved as individual PDFs and labeled accordingly (e.g., “Private Street Map”, “Photos”). No individual file should exceed 70 MB in size.

- City Planning Application Form
- NOE (to be provided by DSC Staff)
- Vicinity Map
- Index Map and Color Photographs (saved as a single PDF)
- Private Street Map
- Additional application specific materials

Filing Fees

- Filing fees, pursuant to Article 9 of the LAMC, must be paid at the time of case filing. As of August 5, 2020, invoices can be paid online by credit card or e-check.

Technical Requirements

Private Street Map

The Private Street Map shall contain the following:

- Scale.** Drawn to an Engineer's scale (i.e., 1 inch = 40 feet; 1 inch = 60 feet) and rendered on 8 ½" x 11" paper. Unusually large or irregular parcels may be submitted on 11" x 17" paper. (Consult the LA County Recorder for up-to-date requirements and fees. Documents which contain any pages not 8 ½" x 11" in size will incur additional recording fees.)
- North Arrow.** North shall be shown and oriented towards the top of the map.
- Use.** Show all building locations, identify their use, number of stories, parking spaces or structures and driveways. If applicable, show accessory structures (e.g., pools, tennis courts, walkways), and show distances of all structures to the new parcel boundaries.
- Dimensions.** Dimensions shall be provided for the original property and access easement for each parcel.
- Rights-of-Way.** Show and designate the name of all adjoining public streets, private streets, alleys, and walkways.
- Summary Information.** The following information shall be provided on the map:
 - Area of each parcel in square feet
 - Zoning of each parcel
 - Property address of each parcel
 - Name, address, and telephone number of each parcel owner, and surveyor or engineer