

LOT MERGER

AN INFORMATIONAL GUIDE



PLANNING DEPARTMENT

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WHAT IS A LOT MERGER?

A Lot Merger is the process used to combine two (2) or more adjacent parcels into one (1) parcel.

According to the California City Municipal Code, mergers must meet the following criteria:

Sec. 9-3.602. Mergers.

A parcel or unit may be merged with a contiguous parcel or unit held by the same owner if any one of the contiguous parcels or units held by the same owner does not conform to standards for minimal parcel size and the following requirements are satisfied:

- (a) At least one of the affected parcels is undeveloped by any structure for which a building permit was issued or for which a building permit was not required at the time of construction, or is developed with only an accessory structure or accessory structures, or is developed with a single structure, other than an accessory structure, that is also partially sited on a contiguous parcel or unit; and
- (b) With respect to an affected parcel, one or more of the following conditions exist:
 - (1) Comprises less than 5,000 square feet in area at the time of the determination of merger;
 - (2) Was not created in compliance with applicable laws and ordinances in effect at the time of its creation;
 - (3) Does not meet current standards for sewage disposal and domestic water supply;
 - (4) Does not meet slope stability standards;
 - (5) Has no legal access which is adequate for vehicular and safety equipment access and maneuverability;
 - (6) Its development would create health or safety hazards; or

- (7) Is consistent with applicable general plan and applicable specific plans other than minimum lot size and density standards.

HOW DO I APPLY AND WHAT ARE THE REQUIREMENTS?

To apply for a Lot Merger that meets the criteria, you need to file an application with the Planning Department and pay a fee. You may visit the Planning Department to pick up the application, have one mailed to you or email your request. Emailed requests will receive a pdf version that you may print out.

An application packet is available on the City website at <http://www.CaliforniaCity.com>

Typically, a licensed land surveyor or registered civil engineer will submit the application on behalf of the property owner, as state law requires that new legal descriptions must be prepared by one of these professionals.

The owner/applicant will need to verify any Public Utility Easement (PUE) that will be affected by the merging of the lots. If a PUE is affected, the owner/applicant must contact the utility companies and receive written authorization or acknowledgment of the proposed action. Permanent structures are not permitted across a PUE and the owner/applicant must grant access by the utility companies onto the property to service any utilities. The written authorization or acknowledgment must accompany the application packet.

Once an application is submitted to this office, it is reviewed to determine if it is complete. An application package will consist of the following:

- * Application form, signed by the owners and agent/representative;
- * Two (2) copies of a preliminary title report (less than thirty [30] days old);
- * A map of the existing situation and the proposed situation, prepared by a licensed land surveyor or

registered civil engineer, as required by local ordinance and state law;

- * A legal description of each new lot, prepared by a licensed land surveyor or registered civil engineer;
- * Hazardous Waste Site Verification Statement;
- * PUE authorization or acknowledgment.
- * Application Fees: Lot Merger is \$250.00. Certificate of Compliance (COC): \$300.00 plus \$25.00 per lot (each land division) contiguous lot or parcel (maximum of 4). The COC fee will be collected once the initial review by the City Engineer is complete and prior to the scheduling of a public hearing.
- * Return completed application and fee to the Planning Department.

PAYMENT OPTIONS

Applicants may pay by cash, credit card or check made payable to the City of California City.

WHAT HAPPENS AFTER THE APPLICATION IS ACCEPTED AS COMPLETE?

The Planning Department will process a request for a Lot Merger within thirty (30) days.

The Planning Department will request that the City Engineer and other affected departments review the Lot Merger.

This review is necessary should there be an underlining problem that would prevent the Lot Merger from being recorded.

You will be notified if the request cannot be processed and why? If the issues cannot be resolved to the satisfaction of the City Engineer, the Lot Merger process will stop. The Lot Merger fee of \$250.00 is non-refundable.

If the Lot Merger has no underlining problems, the City Engineer will prepare conditions of approval.

Once the review period is completed and the conditions of approval are given to the Planning Technician, the Lot Merger is scheduled for Planning Commission's review and approval at a public hearing.

The Notice of Public Hearing is published in the local newspaper of general circulation.

Notification by letter is sent to affected property owners within 300 feet.

Additional conditions of approval may be developed during the Planning Commission meeting. Typical conditions of approval require that you:

- * Submit an updated preliminary title report (less than thirty [30] days old),
- * Record a deed creating the newly configured parcels, and
- * Modify and re-record any deeds of trust affecting the property so that they reflect the new configuration.

WHAT HAPPENS AFTER APPROVAL BY THE PLANNING COMMISSION?

After Planning Commission approval is satisfied, you will need to pay the COC fee. Once the fee is paid, the COC will be recorded by the City Engineer's office.

The COC is a legal document certifying that the newly configured parcel has been legally created through the Lot Merger process. Title companies and financial institutions recognize a COC as being verification of the legal parcel configuration.

CEQA REQUIREMENTS

The California Environmental Quality Act (CEQA) requires that an environmental study be prepared for

some types of projects. A Lot Merger is normally exempt from the requirements of CEQA.

Typically, a Notice of Exemption is filed for a Lot Merger with the County Clerk. There is a \$50.00 document handling fee imposed by the Kern County Clerk's Office. The County Clerk's Office will accept a money order or cashier's check, made payable to the Kern County Clerk's Office. You will be advised by the Planning Technician when to bring in your \$50.00 money order or cashier's check.

The Planning Technician will attach your money order or cashier's check to the completed Notice of Exemption and forward it to the County Clerk's Office for recording.

HOW LONG DOES IT TAKE?

Upon verification that all of the conditions of approval have been satisfied and the COC fee is paid, a minimum of one (1) week is needed to prepare the COC for recording.

WHAT HAPPENS AFTER THE LOT MERGER IS APPROVED AND RECORDED?

The lots are legally reconfigured upon recordation of the deeds, and the COC. It will take several weeks for the County's records (assessor's maps, surveyor's case maps, etc.) to actually be updated.

This department will mail a copy of the recorded COC to you or your representative. The recorded COC document is your verification that the process is complete.

The original COC is kept on file in the Planning Department. Please telephone (760) 373-7141, if you have any questions regarding the Lot Merger process.

ADDITIONAL INFORMATION

No Development Review Committee (DRC) meeting is required.