



# Title 8-7-E Building and Development Regulations

## Chapter 7: Land Division

1<sup>st</sup> Reading  
May 15, 2012  
2<sup>nd</sup> Reading  
June 5, 2012

This chapter regulates and controls the division of land within the city and supplements the provisions of the Subdivision Map Act concerning the design, improvement, and approval of subdivisions.

## **Chapter 7: Land Division**

### **Article E: Merger of Parcels**

#### *Sections:*

- 8-7E-1 Purpose
- 8-7E-2 Merger of Parcels Authorized
- 8-7E-3 Process for Reviewing Mergers
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#### **8-7E-1 Purpose**

The purpose of this article is to provide a simplified procedure to allow for the removal of previously approved parcel lines and the merger of contiguous parcels under common ownership at the request of the property owner, pursuant to §66499.20% of the Subdivision Map Act. The procedure provided by this article is an alternative to the procedures provided by articles 8-7F (tentative maps) and 8-7G (final maps and parcel maps) of this chapter. Nothing stated herein shall be construed to prevent an applicant from filing a tentative map and a final map or parcel map for any merger.

#### **8-7E-2 Merger of Parcels Authorized**

Pursuant to §66499.20% of the Subdivision Map Act, the planning commission is authorized to approve the merger requested by the property owner of contiguous parcels under common ownership without reversion to acreage, upon making the findings and utilizing the procedures set forth in this chapter. The city clerk shall cause an instrument to be recorded as evidence of a merger approved under this article.

#### **8-7E-3 Process for Reviewing Mergers**

##### **A. Application**

An application for a merger pursuant to this article may be made by owners of all affected parcels or individuals authorized by the owner(s) to make an application. Such application shall be filed with the planning department and shall include the following information, materials, and documents to the satisfaction of the city:

1. A completed application form, of which the blank form shall be provided by the planning department.
2. A filing fee as established by resolution of the city council.
3. Three (3) copies of a map, legibly drawn on sheets eighteen inches by twenty-six inches (18" x 26"), that includes all of the following information:
  - a. The name and address of owner(s) of record of the affected real property;
  - b. The name and address of the applicant, if other than the owner;
  - c. The entire existing boundary line of all affected parcels as they currently exist on assessor parcel maps;
  - d. The proposed boundary lines with dimensions and curve radii of the proposed parcels;
  - e. Each parcel identified with a letter or number and area of each parcel;

- f. Identification, location, and dimensions of all existing and proposed improvements;
  - g. The names, widths, and locations of the existing and proposed public and private streets;
  - h. The location, width, purpose, and owners of existing and proposed easements or rights-of-way;
  - i. The date of application, the north arrow, scale of drawing, and assessor's parcel number(s) of the area to be merged;
  - j. The location and width of watercourses and areas potentially subject to flooding, and methods of floodwater drainage control;
  - k. The location of structures, irrigation ditches, and railroad rights-of-way, if any;
  - l. The location and width of proposed building setbacks;
  - m. Location map showing the land to be merged and its vicinity, drawn to an appropriate scale (may be shown on a separate sheet measuring eight and one-half inches by eleven inches (8½" x 11"));
  - n. The legal descriptions of the original and the proposed parcels;
  - o. The existing use and zone designation of the property;
  - p. The method of sewage disposal, storm drainage, and source of water; and
4. One reduced copy of the map measuring eight and one-half inches by eleven inches (8 ½" x 11").
  5. One reduced copy of the map measuring e eleven inches by seventeen inches (11" x 17").

## **B. Procedures**

The procedures for reviewing and deciding mergers of contiguous parcels under common ownership shall be the same as for lot line adjustments.

## **C. Findings**

The designated approving authority shall not approve any merger of parcels pursuant to this article unless it makes all of the following findings:

1. That all required street, access, and utility easements are in place; and
2. That the resulting parcel conforms to the requirements of this chapter, the city's general plan, any applicable specific plan, the city's zoning code, and the city's building code.

## **8-7E-4 Appeals**

The applicant or any interested person adversely affected by any action of the designated approving authority on a merger may, within ten (10) days after the decision, appeal the decision consistent with subsection 8-7B-4-E (appeals).

## **8-7E-5 Recording**

The merger of contiguous parcels under common ownership shall be recorded in a form satisfactory to the county recorder. It shall be submitted to the planning department for a determination that the final documentation complies with the approved merger. The approved final documentation shall thereafter

be forwarded by the planning department to the county recorder's office for recording. The applicant shall pay the recording fee.