

# City of Alturas ~ Planning Application Package

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## **LOT MERGER - VOLUNTARY**

**PURPOSE:** The purpose of a Lot Merger (LM) is to create one new lot from two or more existing legal lots by eliminating all common lot lines which separate the lots from each other. A lot merger does not change the perimeter lot lines, and can only be done when all lots are under the same ownership (with title held in exactly the same manner).

This application package addresses voluntary LM's, which are lot mergers initiated by the property owner. These can be processed without a public hearing through a simplified process (described below) if they meet the conditions listed under "When To Use". *PLEASE NOTE: Once parcels have been merged they cannot be unmerged without going through the formal subdivision process.*

**AUTHORITY:** Subdivision Map Act Sections 66412(d) and 66499.20<sup>3/4</sup>

**WHEN TO USE:** The City will consider a voluntary LM application when:

- All properties are contiguous and under the same ownership (with names listed identically),
- All properties are subject to the same assessment districts (if any),
- The property owner has initiated the proceedings and all interested parties (including lenders) have approved the merger,
- All public roads and easements that exist on the property are to remain unchanged,
- The resulting lot will conform to all applicable development requirements including the General Plan and Zoning Ordinance,
- No delinquent taxes exist on the properties involved and all current property taxes are able to be paid in advance of recordation of the merger, and
- All "Required Documents and Fees" (as noted below) have been submitted to the City Clerk.

**HOW TO PROCEED:** Property owners interested in a voluntary Lot Merger should call the City Clerk at (530)233-2512 to arrange a consultation with the City Planner before submitting the Required Documents and Fees. Please note that all lot mergers require the services of a title company and licensed surveyor (or civil engineer) to ensure title is recorded properly and the legal description is accurate. In addition, all past and current property taxes must be paid before the merger can be recorded (this will be arranged by your title company).

### **REQUIRED DOCUMENTS AND FEES**

<input type="checkbox"/>	Item	Description
1	Application Intake Form	Completed by the City Planner
2	General Information Form (attached)	Provides general property description, as well as ownership and contact information.

□	Item (continued)	Description
3	Fees	\$ 300
4	Preliminary Title Report	A description of title for each legal lot involved in the merger. This must be issued by a title company within the past 30 days.
5	Referenced Documents (Optional)	Copies of the current, existing deeds and all recorded documents referenced in the parcel descriptions. <b>NOTE: These are not required at intake, but may be required by the City if needed to complete its review.</b>
6	A Legal Description of the Resulting Lot	Signed and sealed by a Licensed Surveyor or Registered Engineer. <b>Legal Description should be marked "Exhibit A". (See SAMPLE)</b>
7	A Plot Plan Map of the Resulting Lot ( <i>waived if legal description only refers to unaltered subdivision lots</i> )	Reproducible map drawn to scale, preferably 8 1/2 x 11" in size, illustrating the legal description of the resulting merged lot, signed and sealed by a Licensed Surveyor or Registered Engineer (confirming that the Plot Plan is an accurate representation of the Legal Description). <b>Plot Plan Map should be marked "Exhibit B". (See SAMPLE)</b>
8	Notice of Voluntary Lot Merger ( <i>attached</i> )	Complete the property owner information and the current Assessor Parcel Numbers and street address for the properties to be merged. Then all Owner(s) of Record are to sign the Notice of Voluntary Lot Merger with signatures notarized.

**DESCRIPTION OF APPLICATION PROCESSING:** The City Planner's review is limited to a determination of whether or not the parcel, resulting from the merger, will conform to the local general plan, zoning ordinance, and other City ordinances.

Incomplete applications cannot be processed, so be sure the application materials you submit include all the material requested above. Once all application materials are submitted, the City Planner can usually return a decision within 7 calendar days.

**If approved,** the Notice of Voluntary Lot Merger will be sent to the Applicant's Title Company for recording.

**If denied,** a decision letter will be sent to the applicant and the Applicant's Title Company. The Applicant may file an appeal of the decision to the Planning Commission. All appeals must be submitted in writing within 10 days of receipt of the decision letter (determined by the date on the letter or the postal cancellation stamp on the envelope, whichever is later). The Appeal should be submitted to the City Clerk at 200 West North Street, Alturas, CA 96101 along with a \$350 appeal fee. Once received, the appeal will be scheduled to be heard at the next Planning Commission meeting.

***It should be noted that, in addition to recording the approved Notice of Voluntary Lot Merger, Section 66412(d) of the State Subdivision Map Act requires that all lot line adjustments (and therefore, all lot mergers) be reflected in a deed as well. This will be taken care of by your Title Company.***