

LOT MERGER

I.C. PLANNING & DEVELOPMENT SERVICES DEPT
801 Main Street, El Centro, CA 92243 (442) 265-1736

- APPLICANT MUST COMPLETE ALL NUMBERED (black) SPACES - Please type or print -

1. PROPERTY OWNER'S NAME	EMAIL ADDRESS	
2. MAILING ADDRESS	ZIP CODE	PHONE NUMBER
3. ENGINEER'S NAME	CAL. LICENSE NO.	EMAIL ADDRESS
4. MAILING ADDRESS	ZIP CODE	PHONE NUMBER
5. PROPERTY "A" (site) ADDRESS	LOCATION	
6. PROPERTY "A" ASSESSOR'S PARCEL NO.(s)	SIZE OF PROPERTY (in acres or square foot)	
7. EXISTING USE		CURRENT ZONE
8. PROPERTY "A" LEGAL DESCRIPTION (attach separate sheet if necessary)		
9. PROPERTY "B" (site) ADDRESS	LOCATION	
10. PROPERTY "B" ASSESSOR'S PARCEL NO.(s)	SIZE OF PROPERTY (in acres or square foot)	
11. EXISTING USE		CURRENT ZONE
12. PROPERTY "B" LEGAL DESCRIPTION (attach separate sheet if necessary)		
13. EXPLAIN PURPOSE/REASON FOR LOT MERGER		
14. PROPOSED MERGED PARCEL SIZE		
	PROPOSED USE	

PLEASE PROVIDE CLEAR & CONCISE INFORMATION (ATTACH SEPARATE SHEET IF NEEDED)

15. DESCRIBE PROPOSED SEWER SYSTEM(s)	_____
16. DESCRIBE PROPOSED WATER SYSTEM	_____
17. DESCRIBE PROPOSED ACCESS TO MERGED PARCEL	_____
18. IS THIS PARCEL PLANNED TO BE ANNEXED?	IF YES, TO WHAT CITY or DISTRICT?
<input type="checkbox"/> Yes <input type="checkbox"/> No	

I / WE THE LEGAL OWNER (S) OF THE ABOVE PROPERTY CERTIFY THAT THE INFORMATION SHOWN OR STATED HEREIN IS TRUE AND CORRECT.

Print Name (owner)	Date
Signature (owner)	
Print Name (Agent)	Date
Signature (Agent)	

An owners notarized affidavit is required if application is signed by Agent.

REQUIRED SUPPORT DOCUMENTS

A. SITE PLAN	_____
B. PROPOSED LEGAL DESCRIPTION	_____
C. PRELIMINARY TITLE REPORT (6 months or newer)	_____
D. FEE	_____
E. OTHER	_____

APPLICATION RECEIVED BY:	DATE
APPLICATION DEEMED COMPLETE BY:	DATE
APPLICATION REJECTED BY:	DATE
TENTATIVE HEARING BY:	DATE
FINAL ACTION: <input type="checkbox"/> APPROVED <input type="checkbox"/> DENIED	DATE

REVIEW / APPROVAL BY OTHER DEPT'S required.

P.W.

E.H.S.

A.P.C.D.

O.E.S.

MERG#

INSTRUCTIONS

(MINIMUM REQUIREMENTS)

1. MUST SHOW SHAPE AND ALL DIMENSIONS OF PARCELS.
2. MUST SHOW ALL EXISTING STRUCTURES AND LOCATION, BOTH ABOVE AND BELOW GROUND.
3. MUST SHOW ALL UTILITIES INCLUDING: SEPTIC TANK, LEACH FIELDS, SERVICE DROP LINES, WATER LINES, GAS LINES, ETC.
4. MUST SHOW DIMENSION(S) BETWEEN STRUCTURE(S) TO PROPERTY LINE AND BETWEEN SEPTIC SYSTEM AND STRUCTURE.
5. MUST SHOW ADJACENT ACCESS ROADS AND DRIVEWAY.
6. MUST HAVE A NORTH ORIENTATION SYMBOL.
7. MUST HAVE APPLICANT'S NAME.
8. MUST SHOW ASSESSOR'S PARCEL NUMBER, LEGAL DESCRIPTION AND PROPERTY SIZE.
9. MUST SHOW PROPOSED LOT MERGER. THIS MUST BE SHOWN AS DASHED AND LABELED PROPOSED LOT MERGER WITH DIMENSIONS FROM EXISTING LOT LINE.
10. MAP MUST BE DRAWN TO SCALE ON A MINIMUM OF 8" X 11" SIZE PAPER.
11. MUST SHOW ALL EASEMENTS, RIGHT-OF-WAYS, ETC.

CAUTION: INCOMPLETE OR INACCURATE MAPS OR APPLICATION WILL RESULT IN THE APPLICATION BEING REJECTED.

IMPERIAL COUNTY PLANNING & DEVELOPMENT SERVICES GENERAL INDEMNIFICATION AGREEMENT

As part of this application, applicant and real party in interest, if different, agree to defend, indemnify, hold harmless, and release the County of Imperial ("County"), its agents, officers, attorneys, and employees (including consultants) from any claim, action, or proceeding brought against any of them, the purpose of which is to attack, set aside, void, or annul the approval of this application or adoption of the environmental document which accompanies it. This indemnification obligation shall include, but not be limited to, damages, costs, expenses, attorney fees, or expert witness fees that may be asserted by any person or entity, including the applicant, arising out of or in connection with the approval of this application, whether or not there is concurrent negligence on the part of the County, its agents, officers, attorneys, or employees (including consultants).

If any claim, action, or proceeding is brought against the County, its agents, officers, attorneys, or employees (including consultants), to attack, set aside, void, or annul the approval of the application or adoption of the environmental document which accompanies it, then the following procedures shall apply:

1. The Planning Director shall promptly notify the County Board of Supervisors of any claim, action or proceeding brought by an applicant challenging the County's action. The County, its agents, attorneys and employees (including consultants) shall fully cooperate in the defense of that action.
2. The County shall have the final determination on how to best defend the case and will consult with applicant regularly regarding status and the plan for defense. The County will also consult and discuss with applicant the counsel to be used by County to defend it, either with in-house counsel, or by retaining outside counsel provided that the County shall have the final decision on the counsel retained to defend it. Applicant shall be fully responsible for all costs incurred. Applicant shall be entitled to provide his or her own counsel to defend the case, and said independent counsel shall work with County Counsel to provide a joint defense.

Executed at _____ California on _____, 201 _____

APPLICANT

REAL PARTY IN INTEREST
(If different from Applicant)

Name: _____

Name _____

By _____

By _____

Title _____

Title _____

Mailing Address:

Mailing Address:

ACCEPTED/RECEIVED BY _____ Date _____

PROJECT ID NO _____ APN _____ - _____ - _____



Imperial County Planning & Development Services Planning / Building / Parks & Recreation

Jim Minnick
DIRECTOR

NOTICE TO APPLICANT

SUBJECT: PAYMENT OF FEES

Dear Applicant:

Pursuant to County Codified Ordinance Division 9, Chapter 1, Section 90901.02, all Land Use Applications must be submitted with their appropriate application fee. Failure to comply will cause application to be rejected.

Please note that once the Department application is received and accepted, a "time track" billing will commence immediately. Therefore, should you decide to cancel or withdraw your project at any time, the amount of time incurred against your project will be billed and deducted from your payment. As a consequence, if you request a refund pursuant to County Ordinance, your refund, if any, will be the actual amount paid minus all costs incurred against the project.

Please note there will be no exceptions to this policy. Thank you for your attention.

Sincerely yours,

Jim Minnick, Director
Planning & Development Services

RECEIVED BY: _____ DATE: _____



IMPERIAL COUNTY

PLANNING & DEVELOPMENT SERVICES

Planning Land Use Fee Schedule

Effective October 1, 2023

Jim Minnick, Planning Director

Mailing Address: 801 Main St., El Centro, CA 92243

Phone Number: (442) 265-1736
Email: planninginfo@co.imperial.ca.us

Imperial County Planning and Development Services Planning fees are based on a *Cost of Services User Fee Study* conducted by Wohlford Consulting. Fees were approved by the Board of Supervisors on June 14, 2022 and are effective October 1, 2023. Fees include annual CPI adjustment.

Disclaimer

This handout is designed to provide the user with an overview of the new Planning & Development Services Department processing fees.

Please refer to the Imperial County Codified Ordinance Title 9, Division 9, Sections 90901.00 through 90904.05 for complete details.

Planning Land Use Fee Schedule
Effective 10/01/2023

§ 90901.03 GENERAL PLANNING (Footnotes refer to definitions & explanations at the end of this section)						
APPLICATION/PROCESS TYPE:	C.E.Q.A.	General Fee		General Plan		Fee
		Flat Rate P/B	Deposit (T/M2)	Flat Rate (3%)**	Deposit (T/M1)	
Administrative Permitting/Hearing			\$ 1,000.00		\$ 250.00	\$ 1,250.00
Appeal		\$ 970.00		\$ 30.00		\$ 1,000.00
Development Agreement*		\$ 2,000.00				\$ 2,000.00
ZONING						
ABC License		\$ 242.50		\$ 7.50		\$ 250.00
Address Verification		\$ 145.50		\$ 4.50		\$ 150.00
Zoning Information Letter (per parcel)		\$ 242.50		\$ 7.50		\$ 250.00
Zoning Review- Building Permit		\$ 242.50		\$ 7.50		\$ 250.00
TIME EXTENSIONS						
CUP Extension by Dir. (Every three years)		\$ 582.00		\$ 18.00		\$ 600.00
CUP Extension by Dir. (Every Five years)		\$ 970.00		\$ 30.00		\$ 1,000.00
CUP Extension by PC B/S (Fifteen year re-entitlement)-Minor CUP		\$ 1,164.00		\$ 36.00		\$ 1,200.00
CUP Extension by PC B/S (Fifteen year re-entitlement)- Intermediate CUP		\$ 1,940.00		\$ 60.00		\$ 2,000.00
CUP Extension by PC B/S (Fifteen year re-entitlement)- Major CUP		\$ 2,910.00		\$ 90.00		\$ 3,000.00
CUP Extension by PC B/S (Thirty year re-entitlement)- Major CUP		\$ 4,850.00		\$ 150.00		\$ 5,000.00
PM/TR Extension by Dir- (Yearly)- Minor		\$ 582.00		\$ 18.00		\$ 600.00
PM/TR Extension by PC B/S-(Yearly)- Major		\$ 1,164.00		\$ 36.00		\$ 1,200.00
DESIGN REVIEW (Per Parcel)						
Design Review - Residential - base (1 unit)		\$ 582.00		\$ 18.00		\$ 600.00
Design Review- Residential Subdivision 4 or less		\$ 485.00		\$ 15.00		\$ 500.00
Design Review- Residential Subdivision 5 or more		\$ 970.00		\$ 30.00		\$ 1,000.00
Design Review- Residential Multi-Family 2-4 Units		\$ 485.00		\$ 15.00		\$ 500.00
Design Review- Residential Multi Family 5-29 Units		\$ 727.50		\$ 22.50		\$ 750.00
Design Review- Residential Multi Family 30+ Units		\$ 970.00		\$ 30.00		\$ 1,000.00
Design Review – Commercial <20K sq. ft. (Includes all non-residential uses)		\$ 1,455.00		\$ 45.00		\$ 1,500.00
Design Review – Commercial >20K sq. ft. (Includes all non-residential uses)		\$ 1,940.00		\$ 60.00		\$ 2,000.00
SPECIFIC PLANNING						
CEQA Review Only (Major)	T/M2		\$ 7,000.00		\$ 500.00	\$ 7,500.00
CEQA Review Only (Minor)		\$ 3,395.00		\$ 105.00		\$ 3,500.00
General Plan Amendment	T/M2		\$ 12,000.00		\$ 3,000.00	\$ 15,000.00
Notice of Exemption		\$ 727.50		\$ 22.50		\$ 750.00
Specific Plan Review / Amendment	T/M2		\$ 12,000.00		\$ 3,000.00	\$ 15,000.00
Variance - Commercial/Industrial		\$ 2,910.00		\$ 90.00		\$ 3,000.00
Variance- Residential		\$ 1,455.00		\$ 45.00		\$ 1,500.00
Zone Change	T/M2		\$ 12,000.00		\$ 3,000.00	\$ 15,000.00
SUBDIVISIONS						
Minor Subdivision Administrative (SB9 Urban Lot Split) Not more than 2 Lots		\$ 2,910.00		\$ 90.00		\$ 3,000.00
Minor Subdivision (Up to 4 lots) Parcel Map	T/M2		\$ 6,500.00		\$ 1,000.00	\$ 7,500.00
Major Subdivision (5 lots or more) Tract Map	T/M2		\$ 12,000.00		\$ 3,000.00	\$ 15,000.00
Lot Line Adjustment (Up to 4 lots)		\$ 4,365.00		\$ 135.00		\$ 4,500.00
Lot Merger (4 or less lots)		\$ 4,365.00		\$ 135.00		\$ 4,500.00
Lot Merger (5 or more lots)		\$ 5,335.00		\$ 165.00		\$ 5,500.00
Reversion to Acreage	T/M2		\$ 7,000.00		\$ 500.00	\$ 7,500.00
Certificate of Compliance		\$ 1,697.50		\$ 52.50		\$ 1,750.00
CONDITIONAL USE PERMITS						
CUP (2nd dwelling 1200 s.f or greater)		\$ 1,940.00		\$ 60.00		\$ 2,000.00
CUP (Minor)		\$ 4,365.00		\$ 135.00		\$ 4,500.00
CUP (Intermediate)	T/M2		\$ 7,000.00		\$ 500.00	\$ 7,500.00
CUP (Major)	T/M2		\$ 12,000.00		\$ 3,000.00	\$ 15,000.00
MINING/RECLAMATION						
Mining (CUP)	T/M2		\$ 7,000.00		\$ 500.00	\$ 7,500.00
Mining (Exploratory)	T/M2		\$ 7,000.00		\$ 500.00	\$ 7,500.00
Reclamation Plan	T/M2		\$ 7,000.00		\$ 500.00	\$ 7,500.00
GEOHERMAL						
Intermediate Exploration (6 Wells or less)	T/M2		\$ 7,000.00		\$ 500.00	\$ 7,500.00
Major Exploration (More than 6 wells)	T/M2		\$ 12,000.00		\$ 3,000.00	\$ 15,000.00
Intermediate Production(up to 50 Megawatts)	T/M2		\$ 7,000.00		\$ 500.00	\$ 7,500.00
Major Production (Greater than 50 Megawatts)	T/M2		\$ 12,000.00		\$ 3,000.00	\$ 15,000.00
Test Facility (existing well not to exceed 24 mths)	T/M2		\$ 5,000.00		\$ 500.00	\$ 5,500.00
Intermediate Mineral Extraction-(Not to exceed 25,000 metric tons annually)	T/M2		\$ 7,000.00		\$ 500.00	\$ 7,500.00
Major Mineral Extraction- (More than 25,000 metric tons annually)	T/M2		\$ 12,000.00		\$ 3,000.00	\$ 15,000.00

**Planning Land Use Fee Schedule
Effective 10/01/2023**

ENVIRONMENTAL IMPACT REPORT (EIR)						
Administrative Processing Fee (10% total contract) (max of \$20,000)						10%
COMMERCIAL CANNABIS ACTIVITY- CCA						
First Application- Each (Plus CUP fee if required)						\$ 4,000.00
Each additional application						\$ 1,000.00
Security Plan Review- Each						\$ 1,000.00
Annual License						\$ 1,500.00
Additional or Extraordinary work (after 30 hours of billed staff time)						T/M2
DOCUMENT CHARGES						
Xerox (Color 8 1/2" x 11')						\$2.00/page 1 + \$.25/page after first page
Xerox (8 1/2" x 11')						\$2.00/Page 1 + \$.10/page after first page
Xerox (large)						\$1.50/square foot
Printed Documents						Cost + 25%
MISCELLANEOUS						
Notary Fee - Each Signature						\$ 15.00
Expert Witness	T/M2					\$ 1,000.00 \$ 1,000.00
Airport Land Use Commission (Add-on to Projects that involve ALUC)	T/M2					\$ 2,500.00 \$ 2,500.00
Home Occupancy Permit- Actual Time at Staff hourly Rates (2 hours)			\$ 250.00			\$ 250.00
Similarity of Use	T/M2	\$ 1,164.00		\$ 36.00		\$ 1,200.00
Compliance Monitoring (CUP Minor & Intermediate)	T/M2					
Compliance Monitoring (CUP Major)	T/M2					\$ 5,000.00 \$ 5,000.00
Projects Not Specified <i>Hourly</i>			\$ 148.00			\$ 148.00

* If additional or extraordinary work is required, agreement will become T/M2 and deposit will be required.

A. Valuation

- The Valuation of a project shall be the ultimate (build out) value of the proposed project and shall include cost of land plus cost of improvements, as determined by the Director.
- Projects that cannot be clearly shown as having a "build out" value, (for example: a new landfill, a new mining operation) will be valued for the purpose of computation of specific fees other than T&M by the Director. The Director's determination may be appealed to the Planning Commission, but not the Board of Supervisors.

B. Conditional Use Permits

- Second Dwelling Only- Process to allow one additional dwelling to be placed on a parcel with an existing dwelling.
- Minor- This classification shall include and be limited to the following uses:
 - Domestic Water Well
 - Home Occupation
 - Day Care or Nursery
 - Schools
 - Temporary offices at project site for project duration
 - Temporary real estate offices within housing tract.

C. **Intermediate** - Any Conditional Use Permit with a project value of less than \$5,000,000 unless determined by the Director that the project requires a major CUP.

D. **Major** - Any Conditional Use Permit with a project value greater than \$5,000,000 and/or not considered an intermediate.

The category of the CUP type (minor, intermediate, major) shall be as determined by the Department. There shall be no appeal from this decision.

2. T/M- TIME & MATERIAL

All projects shown to have a T/M2 billing rate shall deposit the amount specified within this Division at the time of the application and shall be billed by the department on a quarterly basis.

Deposit is to be maintained throughout the course of the project. If the Department has not received payment within 30 days of billing, the Department shall cease processing the application until the funds are provided to maintain the initial deposit limit.

The T/M deposit schedule is as follows:

T/M1** - General Plan Charge will be 3% of the total cost of the project - not to be refunded.

T/M2 - Initial Deposit as shown in each category. Please note this fee is not used as part of any T&M billing.

3. T&M- Time & Materials

Under this billing system, the County Planning/Building Department, as well as any County Department that has a function in the permit review process and an adopted Ordinance Schedule of fees is authorized to charge for all salary and benefit costs and actual expenses, including but not limited to office and field cost; mileage; County overhead; and special consultants. All billing, however, shall be by and through the Planning/Building department only. Any Department that does not provide a billing statement to the Planning/Building Department by the 10th of the month shall not be entitled to collect.

The Department shall add 15 % to the total cost of all materials, including advertising, to offset the cost of the following: permit tracking system, monitoring program, file storage costs; and office space/maintenance costs.

4. Hourly Rate

The maximum hourly rate for Planning/Building Department cost shall be set at actual salary rate as calculated by Cost of Services User Fee Study as the "fully burdened" rate, which includes overhead, benefits and shall not exceed \$300/hour. This rate includes labor and County overhead, but does not include material or other direct expenses.

5. Auditing/Account

The Applicant has the opportunity to review the accounting of any Department related to the project. If the Applicant feels the accounting is in error, the applicant may file a written request for a review with the Director. In the event the Applicant and Director cannot reach an agreement, this matter shall be brought to the Planning Commission for arbitration, and to the Board of Supervisors for all other Departments.

Staff Rates Per Hour

Account Clerks	\$ 111.56
Accountant/ Accountant Auditor	\$ 125.81
Administrative Secretary	\$ 113.24
Asst Dir of Planning & Building	\$ 205.37
Auto CAED/GIS Tech	\$ 132.34
Dir of Planning & Building	\$ 266.10
Office Assistant III/ Office Tech	\$ 105.24
Office Supervisor II	\$ 132.31
Permit Specialist	\$ 141.08
Planner I	\$ 118.49
Planner II/III	\$ 138.52
Planner IV	\$ 170.54
Planning Division Manager	\$ 172.06

SITE PLAN

I.C. PLANNING & DEVELOPMENT SERVICES DEPT
801 Main Street, El Centro, CA 92243 (442) 265-1736

READ INSTRUCTIONS ON THE BACK ! USE PEN TO DRAW – DO NOT USE PENCIL!

DRAW SITE LAYOUT PLAN TO SCALE & COMPLETE ALL NUMBERED SPACES!

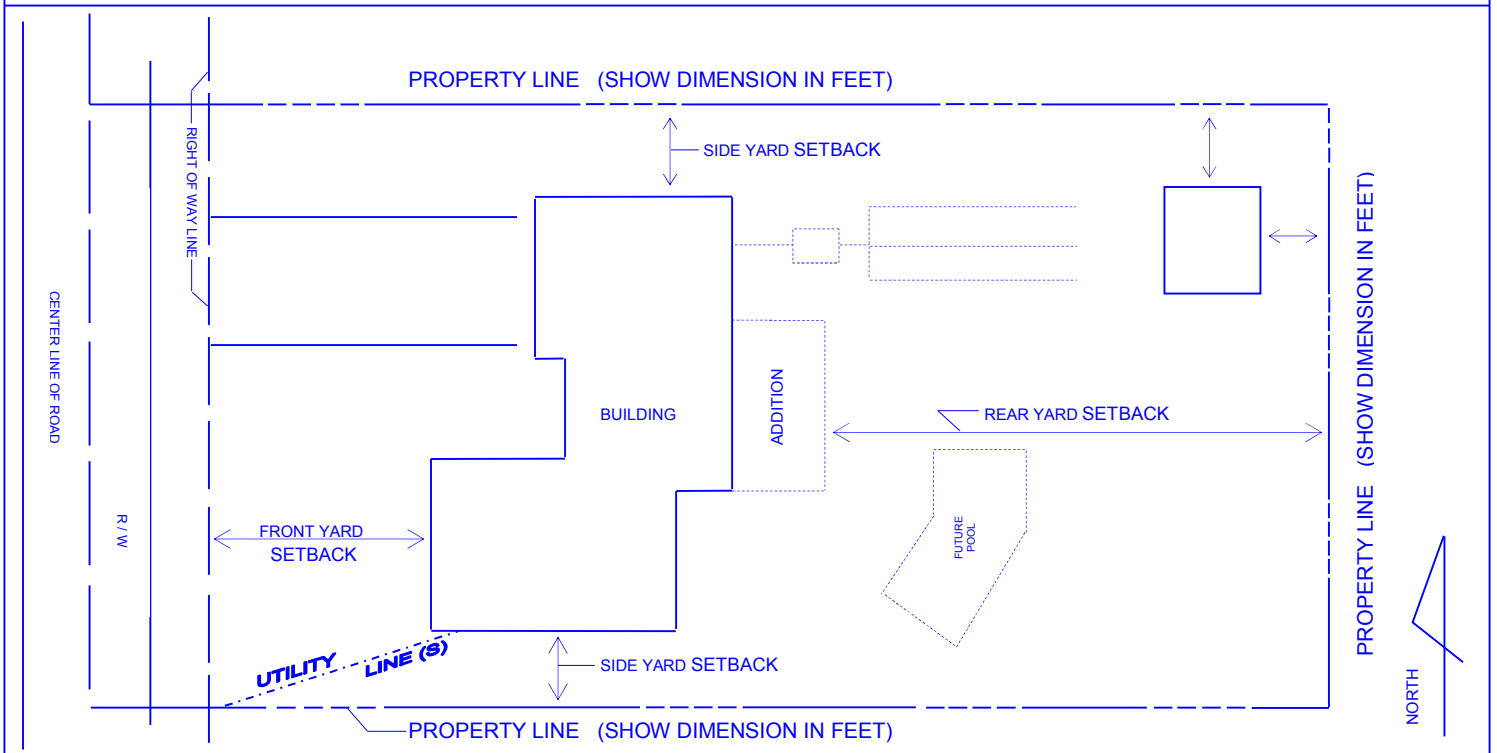
DRAW SITE LAYOUT PLAN TO SCALE & COMPLETE ALL NUMBERED SPACES!

1

2 NAME OF APPLICANT	3 APPLICANT PHONE NO.	4 SIZE OF PARCEL
5 PROJECT SITE ADDRESS		6 ASSESSORS PARCEL NO.

WHITE - OFFICE MASTER / YELLOW - ASSESSORS / PINK - APPLICANT

EXAMPLE SITE PLAN



READ INSTRUCTIONS ON REQUIRED INFORMATION!

The following information and detail must be shown on the site Plan. Please read the information, view the example and prepare a site plan for your project to accurately and correctly depict the necessary information.

- Show the property lines including their dimensions.
- Show the location of all existing and/or proposed structures, both above and below ground.
- Show the location of the utility lines (electrical, water, sewer, gas, phone, etc.). Show whether they are above or below ground.
- Show the north orientation.
- Show the scale of the drawing, (i.e. $\frac{1}{4}'' = 1'0''$ or $\frac{1}{8}'' = 1'0''$, etc.).
- Show all dimensions of the structure(s).
- Show all distanced from the property line(s) to the structures.
- Show distances between structures.
- Show the adjacent streets, and all entrances to the property from the street.
- Provide 3 copies of the SITE PLAN along with the application. (if you are not using the County's Site Plan form)
- Provide the information in all of the numbered spaces at the bottom of the form.
- Landscaping is required for certain projects. Please check with the Staff to verify what and if it will be required for your proposed project.

NOTE: You may submit a site plan in a larger format, or on a blue line or on another format, however it must include all the information shown above, and must be drawn on substantial paper with a non-erasable medium, i.e. not in pencil.

TITLE 9

DIVISION 8: SUBDIVISION ORDINANCE

CHAPTER 8: LOT MERGERS INITIATED BY PROPERTY OWNER

§ 90808.00	PURPOSE
§ 90808.01	APPLICATION
§ 90808.02	SITE PLAN
§ 90808.03	APPLICATION PROCEDURE
§ 90808.04	HEARING SCHEDULING
§ 90808.05	NOTICING (PUBLIC/APPLICANT)
§ 90808.06	FINAL DECISIONS
§ 90808.07	APPEAL FROM PLANNING DIRECTOR ATION ON LOT MERGERS
§ 90808.08	FINAL ACTION

§ 90808.00 PURPOSE

The purpose of this Chapter is to establish procedures for the processing of Lot Merger applications initiated by the record property owner. Merger can only be considered where:

- A. All the lots or parcels are contiguous.
- B. The lots or parcels were created by a parcel map or tract map in compliance with the Subdivision Map Act and Imperial County Ordinance at the time of creation, or were legal lots prior to enactment of the Subdivision Map Act.
- C. The lots or parcels cannot be separated by or affected by an easement, right-of-way, road, alley or canal (including public utility easements).
- D. Affect or restrict any access to lots or parcels.

§ 90808.01 APPLICATION

A written application (form provided by the Planning & Development Services Department) for a lot merger as defined in Chapter 1 of this Division shall be made to the Planning & Development Services Department. The applications shall be accompanied by the fee as required in this Title.

§ 90808.02 SITE PLAN

Every application for a lot merger shall include a detailed "site plan". The site plan shall include such information deemed necessary by the Planning & Development Services Department, and at a minimum shall include the following:

1. Must show the entirety of all parcels and all property boundary lines
2. All property boundary dimensions
3. All existing structures (below & above ground)
4. All proposed structures (below and above ground)
5. Distance from all structures to property lines and between structures
6. North orientation
7. Scale
8. Access from adjacent street/road
9. All utility locations (i.e. electrical, plumbing)
10. Name and telephone number of person(s) preparing plan
11. Location of known hazard areas, if any

12. Assessor's Parcel Number, legal description and property size
13. Must show all easements, rights-of-way, etc.
14. Parking areas
15. Drainage
16. Must show proposed property line to be removed. These lines must be shown as dashed and labeled to be removed.

§ 90808.03 APPLICATION PROCEDURE

Every application submitted shall be deemed "received" on the date of submittal and shall be signed and dated by the Department staff. The Department shall within a maximum of thirty (30) days from receipt determine whether an application is complete or incomplete. Any application deemed complete shall be reviewed, processed by staff, and scheduled for the next hearing body as applicable under this Division.

Any application deemed incomplete shall be returned to the applicant with a written letter of transmittal, explaining the reasons for the rejection.

A re-submittal of a rejected application shall be deemed the equivalent of a new application and all procedures and time frames shall be as a new application.

Under no conditions shall the Department accept an incomplete application and commence processing it, unless and until all necessary information and supporting documentation is provided.

Failure of an applicant to submit the correct fees shall constitute an immediate rejection without further review.

The Planning Director shall conduct a public hearing and approve or deny the lot merger based on consistency with the following determination if the application is categorically exempt under CEQA, or if further environmental documentation is required.

- A. All the lots or parcels are contiguous.
- B. Whether the lot merger conforms to State law and County Ordinance.
- C. The lot merger is between lots or parcels that were created by a parcel or tract map consistent with the Subdivision Map Act and County Ordinance in effect at the time they were created.
- D. The lots or parcels are not separated or effected by any easement, right-of-way, road, alley or canal (including public utility easements).
- E. The parcel as merged will not be deprived access as a result of the merger.
- F. Access to the adjoining parcels will not be restricted by the merger.
- G. The parcel as merged will not conflict with the location of any existing structures on the property.
- H. No new lot or lots are created through the merger.

§ 90808.04 HEARING SCHEDULING

The Department shall schedule the lot merger for Planning Director Action or Planning Commission by allowing adequate review time for staff and responsible departments/agencies, yet within time limits established by law. Under no circumstances shall a project be heard by the Planning Director without all required noticing having been provided.

§ 90808.05 NOTICING (PUBLIC/APPLICANT)

The Department shall strictly adhere to the following noticing requirement.

Refer to Division 1, Chapter 4, Section 90104.03.

§ 90808.06 FINAL DECISIONS

Any decision made by a hearing body (Planning Director, Planning Commission, and/or Board of Supervisors) shall be deemed a final decision unless appealed to the next administrative hearing body as provided under Section 90101.10. No hearing body shall be allowed to re-hear or re-consider its decision, except as provided for under Section 90101.10.

§ 90808.07 APPEAL FROM PLANNING DIRECTOR ACTION ON LOT MERGERS

Upon the filing of an appeal from the Director's decision, the Director shall then schedule a hearing on the issue before the Planning Commission, at the next regularly scheduled meeting for which noticing requirements can be met. A decision of the Director on lot mergers shall not be appealable to the Board of Supervisors and must be heard by the Planning Commission.

Any person may appeal the decision of the Planning Director on a lot merger provided such an appeal meets the following requirements:

- A. A written appeal is filed within ten (10) calendar days from the Planning Directors decision on lot merger.
- B. The appeal is filed with the Planning & Development Services Department.
- C. The requisite fees are included.
- D. The written appeal clearly states the following:
 - 1. Name of person(s) filing appeal
 - 2. Address & phone number of person(s) filing
 - 3. Project/decision being appealed
 - 4. Reason for filing appeal
 - 5. Facts, condition(s), information, error, or other specifics to warrant appeal
 - 6. Prior effort(s) made to arrive at acceptable solution, if any
 - 7. Action being requested (i.e. deny project, approve project, modify conditions, etc.)
 - 8. Signature of applicant.

The Planning Commission's decision is final with no further appeal.

§ 90808.08 FINAL ACTION

Upon compliance with all conditions of approval and submittal and completion of all of the following, the Planning Director shall record a Lot Merger Certificate of Compliance.

- 1. Full legal description and closure sheets acceptable to the Planning Department stamped and signed by a California Licensed Land Surveyor or a California Registered Civil Engineer (licensed to practice in the category of work to be performed) on plain bond paper 8 ½" x11".
- 2. Letter of approval by the County Surveyor on the new legal description.
- 3. Current tax certificate issued.
- 4. Recording fees.