



VOLUNTARY MERGER APPLICATION PACKAGE

PLANNING & BUILDING DEPARTMENT • COUNTY OF SAN LUIS OBISPO
976 OSOS STREET • ROOM 300 • SAN LUIS OBISPO • CA 93408 • (805) 781-5600 • TTY/TDD RELAY-711

NOTE: Your application is public record and information regarding your application is available both in person at the Department of Planning and Building in the County Government Center and on the County Planning and Building Department's website. All references to names, addresses, telephone numbers, email addresses and project information are part of this public record. All applications must be filed under the property owner's name and address of the property that is the subject of the application; however, you may use an alternate contact address and telephone number.

REQUIRED CONTENTS

The following information is required to be submitted with your application. If any information is missing, your application may be returned to you until such time as all required materials are included with the submittal.

COPIES – Please provide the following number of copies:

- 1 copy of the Completed General Application Form
- 1 copy of the Consent of Landowner Form (if applicant does not own the property)
- 1 copy of the Completed Voluntary Merger Application Form
- 1 copy of the Signed Information Description Form

FEES

Application Fee – The application fee will be calculated at the time of submittal based on the adopted fee schedule.

Recording Fee – The recording fees will be calculated and billed to the applicant at the time of submittal.

OTHER INFORMATION (IF APPLICABLE – CHECK WITH PLANNER)

Title Report - two copies of a preliminary title report, not more than six months old.

Legal Lot Verification - how the parcel(s) was legally created.

Abandoned Oil and Gas Wells - if applicable - information is available from the California Division of Oil & Gas, 5075 S. Bradley #221, Santa Maria, California 93455, Telephone (805) 925-2686.

WHAT IS A VOLUNTARY MERGER?

A voluntary merger of parcels is one way to legally join contiguous parcels together when a house is constructed over a lot line, or when you want one larger parcel. Through this process, two or more contiguous parcels or units of land which are under common ownership, are merged into one parcel. The only other way to merge parcels requires you to process, receive approval of, and record a tract or parcel map.

DO I NEED ONE?

A voluntary merger can be requested when you wish to have your parcels combined into a larger legal parcel. It can also be used to merge properties where a house has been, or is proposed to be, constructed over a lot line. Without completing a voluntary merger, your house would have to be constructed to meet the setbacks for each small parcel. By completing a voluntary merger you can instead build your house to meet setbacks for the combined large parcel. A voluntary merger is done at your request. There may be other instances when you would want to record a voluntary merger. Please contact the Department of Planning and Building at 781-5600 if you have any questions about your specific circumstance.

WHO APPROVES VOLUNTARY MERGERS?

The Planning Director (or a designee) makes the decision on whether to record a voluntary merger. Within 90 days after receipt of a complete voluntary merger application request and all other necessary information, the Planning Director will record the merger. The proceedings will terminate and no merger can occur if a written request to withdraw the application is received from any owner of an interest in the property to be merged. A request for a voluntary merger can also be terminated if the Planning Director determines that the merger is contrary to the public health, safety and welfare of the county. The Planning Director's decision may be appealed directly to the Board of Supervisors.

WHAT IS THE EFFECT OF THE MERGER

The recording of the merger shall constitute a merger of the separate parcels or units of land into one parcel. The merger doesn't have any effect on streets, easements, any dedications or offers of dedication or any other recorded interest.

HOW LONG DOES IT TAKE?

In most cases, the process takes two to four weeks. You can help expedite the review process by making sure that your application is filled out correctly and completely, that all owners have signed the application and merger certificate and that the legal description of the merged parcel is accurate and has been prepared by a registered civil engineer or licensed land surveyor. The Department of Planning and Building is available to answer your questions regarding any application requirement. For more information, call (805) 781-5600 and ask for voluntary merger staff.

GENERAL APPLICATION FORM

San Luis Obispo County Department of Planning and Building

APPLICATION TYPE - CHECK ALL THAT APPLY

- Emergency Permit
- Tree Permit
- Minor Use Permit
- Conditional Use Permit/Development Plan
- Plot Plan
- Curb, Gutter & Sidewalk Waiver
- Other
- Site Plan
- Surface Mining/Reclamation Plan
- Zoning Clearance
- Amendment to approved land use permit
- Variance
- Voluntary Merger

Department use only
Do Not Mark
(Staff Apply Label Here)

APPLICANT INFORMATION

Check box for contact person assigned to this project

Landowner Name _____ Daytime Phone _____
Mailing Address _____ Zip Code _____
Email Address: _____

Applicant Name _____ Daytime Phone _____
Mailing Address _____ Zip Code _____
Email Address: _____

Agent Name _____ Daytime Phone _____
Mailing Address _____ Zip Code _____
Email Address: _____

PROPERTY INFORMATION

Total Size of Site: _____ Assessor Parcel Number(s): _____

Legal Description: _____

Address of the project (if known): _____

Directions to the site (including gate codes) - describe first with name of road providing primary access to the site, then nearest roads, landmarks, etc.: _____

Describe current uses, existing structures, and other improvements and vegetation on the property: _____

PROPOSED PROJECT

Describe the proposed project (include sq. ft. of all buildings): _____

LEGAL DECLARATION

I, the owner of record of this property, have completed this form accurately and declare that all statements here are true. I do hereby grant official representatives of the county authorization to inspect the subject property.

Property owner signature _____ Date _____

FOR STAFF USE ONLY

CONSENT OF LANDOWNER

San Luis Obispo County Department of Planning and Building

File No _____

I (we) the undersigned owner of record of the fee interest in the parcel of land located at (print address): _____, identified as Assessor Parcel Number _____, for which a construction permit, land use permit, land division, general plan or ordinance amendment, or LAFCo application referral is being filed with the county requesting an approval for: _____ (specify type of project, for example: addition to a single family residence; or general plan amendment), do hereby certify that:

1. Such application may be filed and processed with my (our) full consent, and that I (we) have authorized the agent named below to act as my (our) agent in all contacts with the county and to sign for all necessary permits in connection with this matter.
2. I (we) hereby grant consent to the County of San Luis Obispo, its officers, agents, employees, independent contractors, consultants, sub-consultants and their officers, agents, and employees to enter the property identified above to conduct any and all surveys and inspections that are considered appropriate by the inspecting person or entity to process this application. This consent also extends to governmental entities other than the county, their officers, agencies, employees, independent contractors, consultants, sub-consultants, and their officers agents or employees if the other governmental entities are providing review, inspections and surveys to assist the county in processing this application. This consent will expire upon completion of the project.
3. If prior notice is required for an entry to survey or inspect the property. Please contact:
Print Name: _____
Daytime Telephone Number: _____
4. I (we) hereby give notice of the following concealed or unconcealed dangerous conditions on the property

Person or entity granting consent:

Print Name: _____

Print Address: _____

Daytime Telephone Number: _____

Signature of landowner: _____ Date: _____

Authorized agent:

Print Name: _____

Print Address: _____

Daytime Telephone Number: _____

Signature of authorized agent: _____ Date: _____

VOLUNTARY MERGER APPLICATION

San Luis Obispo County Department of Planning and Building

File No _____

Project Information:

Number of existing lots, parcels or certificates: _____ Existing parcel sizes: _____

Number of lots, parcel, certificates or merged parcels requested: _____

Is the property part of a previous subdivision that you filed? Yes No

If Yes, what was the map number: Tract No: _____ CO _____ COAL _____

Have you reviewed county records to determine if the subject property has ever been the subject of a recorded certificate of compliance or a recorded map? Yes No

Building permits or other approval? Yes No

If you answered 'Yes' to either question, please provide copies of all applicable materials.

INFORMATION DISCLOSURE FORM

San Luis Obispo County Department of Planning and Building

File No _____

TIME LIMITS FOR PROCESSING AND PUBLIC NOTICE DISTRIBUTION REQUIREMENTS - California state law (California Government Code Section 65941.5) requires that the county provide the following information to applicants, when a permit application is filed:

Not later than 30 days after a land use or land division application is received, the county must notify the project applicant or designated representative in writing either that the application is complete, or that items are necessary to complete the application. If you are not notified in writing, the application is considered complete. Any land use or land division application receiving a Negative Declaration must be approved or denied within 60 days of its adoption. If the project is exempt under CEQA, the project must be approved or denied within 90 days of acceptance. For land use/land division applications subject to an Environmental Impact Report (EIR), project approval/denial shall be within six months of the certification of the EIR. The County of San Luis Obispo processes the land use application and the environmental review concurrently, so these decisions are made simultaneously. (Government Code Sections 65943 and 65950, et seq.)

A project applicant may make a written request to the county to receive notice of any proposal to adopt or amend the general plan and the land use, real property division, building and construction, road name and addressing, and growth management ordinances which might reasonably be expected to affect that applicant's project. The county offers a subscription service for notification of either: (1) all applications received by the county, or (2) Planning Commission agendas. The cost for each of these services is established by the county fee ordinance. (Government Code Sections 65945, 65945.3 and 65945.5)

When a property was created through recordation of a final or parcel map, and it is within five years of recordation, the county cannot withhold or condition the issuance of building permits for residential units based on conformance with conditions that could have been imposed as conditions of the tentative map, except where: (1) A failure to do so would place subdivision residents or residents in the immediate area in a condition perilous to health, safety or both; or (2) The condition is required in order to comply with state or federal law. (Government Code Section 65961)

Copies of Government Code Sections are available at the County of San Luis Obispo Law Library, County Government Center, San Luis Obispo, California.

RIGHT TO FARM DISCLOSURE - The County of San Luis Obispo recognizes the statewide policy to protect and encourage Agriculture. Sections 3482.5 and 3482.6 of the California Civil Code and Chapter 5.16. of the San Luis Obispo County Code protect certain, pre-existing agricultural production and processing operations ("agricultural operation") from nuisance claims. If your property is near a protected agricultural operation, you may be subject to certain inconveniences and/or discomforts which are protected by law. In order for the agricultural operation to be protected, the following requirements of Civil Code Sections 3482.5 and 3482.6 must be satisfied:

(1) The agricultural operation must be conducted or maintained for commercial purposes; (2) The agricultural operation must be conducted or maintained in a manner consistent with proper and accepted customs and standards as established and followed by similar agricultural operations in the same locality; (3) The agricultural operation predated the affected use(s) on your property; (4) The agricultural operation has been in existence for more than three years; and (5) The agricultural operation was not a nuisance at the time it began.

If your property is near an agricultural operation in the unincorporated area of the County which satisfies the above requirements, you may at times be subject to one or more inconveniences and/or discomfort

arising from that operation. Such inconveniences may include (depending upon the type of agricultural operation protected), but are not necessarily limited to, the following: noise, odors, fumes, dust, legal pesticide use, fertilizers, smoke, insects, farm personnel and truck traffic, visual impacts, night time lighting, operation of machinery and the storage, warehousing and processing of agricultural products or other inconveniences or discomforts associated with the protected agricultural operations. For additional information pertaining to this disclosure and the Right to Farm Ordinance, or concerns with an agricultural operation, please contact the San Luis Obispo County Agricultural Commissioner's Office.

HAZARDOUS WASTE AND SUBSTANCE SITES AND LANDFILL DISCLOSURE -

Per Government Code section 65962.5, known as the 'Cortese List' (AB3750), please complete the attached form that verifies you have consulted with the applicable websites and determined whether or not the subject property is listed on any of these sites:

- List of Hazardous Waste and Substances sites from Department of Toxic Substances Control (DTSC) EnviroStor database;
- List of Leaking Underground Storage Tank Sites by County and Fiscal Year from Water Board GeoTracker database;
- List of solid waste disposal sites identified by Water Board with waste constituents above hazardous waste levels outside the waste management unit (PDF);
- List of "active" CDO and CAO from Water Board PLEASE NOTE: This list contains many Cease and Desist Orders and Cleanup and Abatement Orders that do NOT concern the discharge of wastes that are hazardous materials;
- List of hazardous waste facilities subject to corrective action pursuant to Section 25187.5 of the Health and Safety Code, identified by DTSC.

In addition, please answer the following question: "This project is within 1/2 mile of one of the landfills in the North County planning area (Paso Robles Municipal or Chicago Grade Landfills) Yes No

PLEASE COMPLETE AND SIGN BELOW

I acknowledge that I have read and understand the information and policy and detailed above: (1) Time Limits for processing, (2) Public Notice Distribution requirements, (3) the Right to Farm Disclosure, and (4) Proximity to Landfills.

AND

I acknowledge that I have consulted the websites that Identify Hazardous Waste and Substances Sites on the attached form and find the following: The site is not shown on any of these websites.

Signature _____ Date

Print Name: _____



HAZARDOUS WASTE AND SUBSTANCES STATEMENT DISCLOSURE

PLANNING & BUILDING DEPARTMENT • COUNTY OF SAN LUIS OBISPO
976 OSOS STREET • ROOM 200 • SAN LUIS OBISPO • CALIFORNIA 93408 • (805) 781-5600

Project Title: _____ **Project APN(s):** _____

HAZARDOUS WASTE AND SUBSTANCES

Per Government Code section 65962.5, known as the 'Cortese List' (AB3750), I have consulted the following websites/lists to determine if the subject property contains hazardous wastes or substances:

- List of Hazardous Waste and Substances sites from Department of Toxic Substances Control (DTSC) EnviroStor database (<http://www.envirostor.dtsc.ca.gov/public/>)
- List of Leaking Underground Storage Tank Sites by County and Fiscal Year from Water Board GeoTracker database (<http://geotracker.waterboards.ca.gov/>)
- List of solid waste disposal sites identified by Water Board with waste constituents above hazardous waste levels outside the waste management unit (PDF). (<http://www.calepa.ca.gov/SiteCleanup/CorteseList/CurrentList.pdf>)
- List of "active" CDO and CAO from Water Board PLEASE NOTE: This list contains many Cease and Desist Orders and Cleanup and Abatement Orders that do NOT concern the discharge of wastes that are hazardous materials. (<http://www.calepa.ca.gov/SiteCleanup/CorteseList/default.htm>)
- List of hazardous waste facilities subject to corrective action pursuant to Section 25187.5 of the Health and Safety Code, identified by DTSC (<http://www.calepa.ca.gov/SiteCleanup/CorteseList/SectionA.htm>)

After consultation with each of the lists provided on the above websites, I verify that the subject parcel(s) and proposed development (and any alternative development sites, if applicable) (Check box):

- Is not** included on any of lists found on the above-referenced websites.
- Is** included on one or more of the lists found on the above-referenced websites. Pursuant to Section 65962.5 of the Government Code. the following information is provided related to this site/application:

Name of applicant: _____

Address: _____

Address of site (street name & number if available, City, State and ZIP Code):

Local agency (city/county): _____

Assessor's book, page, and parcel number: _____

Specify any list pursuant to Section 65962.5 of the Government Code: _____

Regulatory identification number: _____

Date of list: _____

Signature of Applicant

Name of Applicant (Print)

Date

Telephone