DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT
1010 10TH Street, Suite 3400, Modesto, CA 95354
Planning Phone: 209.525.6330 Fax: 209.525.5911
Building Phone: (209) 525-6557 Fax: (209) 525-7759
Form Available Online: www.stancounty.com/planning/applications.shtm

MERGER

HOW DO I APPLY?
Complete and submit this application/questionnaire form to the Stanislaus County Department of Planning & Community Development. Copies of this application may be obtained in person or on-line at our website, www.stancounty.com. You are urged to meet and discuss your application with Planning staff. Pre-application meetings are not required, but are highly recommended.

HOW L0NG WILL IT TAKE, FROM THE TIME A COMPLETE APPLICATION HAS BEEN RECEIVED?
The County has 30 days from the filing date to determine whether an application is complete. Applicants will be notified of incomplete applications. No application will be referred to any agency until it is deemed to be complete.

WHAT INFORMATION WILL I NEED TO PROVIDE?
A complete application/questionnaire form including all applicable information listed on the Application Checklist (*pages 1-2*).

WHO APPROVES THE APPLICATION?
The County will review the proposed application for compliance with County Ordinances and the State Subdivision Map Act rules pertaining to lot line changes. If the map is in conformance, it will be sent to interested agencies for their comments. After comments are received, Planning Department staff will review them and make a final decision.

BUILDING AND OTHER PERMITS?
After approval of your application, you may need to obtain a building permit, encroachment permit or other permit from the County and may also be required to obtain Federal or State permits from agencies such as the California Department of Fish and Wildlife, Regional Water Quality Control Board or US Army Corps of Engineers. Staff can assist you in identifying these permits.

HOW MUCH WILL IT COST?
Application fee:
All Zoning Districts……..…..**$ 354.00**
If approved:
Recording fee subject to County Clerk-Recorder Fee Schedule:
https://www.stancounty.com/clerkrecorder/fees.shtm
(Payable to Stanislaus County by check, cash or credit card.)

APPLICATION CHECKLIST

☒ = **Information Included**

All Applications:

☐ **Complete Application/Questionnaire Form**
Must be signed by all property owners and the applicant(s).

☐ **One copy of the current Grant Deed**
Must include a legal description of the property for which the project is being requested. Please note that the legal description is not the same as the Assessor's Parcel Number (APN).

☐ **One copy of the Preliminary Title Report**
Preliminary title report, chain of title guarantee or equivalent documentation not older than six (6) months which shows any and all lienholders and easements affecting the project site.

☐ **Proof of Legal Parcel**
In order to prove the legal status, you must submit one of the following for each parcel involved in the merger:

- ❑ A Grant Deed recorded prior to October 31, 1968. (*Exceptions: SMA 66499.34 Permits Granted)*
- ❑ A Lot from a Subdivision recorded after 1929.
- ❑ A Lot created from a recorded Parcel Map. *(Exceptions: SMA section 66428 to Government/Utilities)*
- ❑ A Recorded Certificate of Compliance *(issued by: The Department of Public Works)*

☐ **Legal Descriptions of Parcels***
The legal descriptions must be prepared in the format listed below:

- "Before" description must be labeled and referred to as Exhibit "A"
- **"**After" description must be labeled and referred to as Exhibit "B"
- 8-1/2" by 11" map must be labeled and referred to as Exhibit "C"

Legal Descriptions are optional to submit with application - will be required to finalize Lot Merger.

☐ **Perfecting Grant Deed(s)***
The deed(s) shall include notarized signatures of all parties of interest in the subject parcels, and the following exhibit:

- Exhibit "A", describing the adjusted property.

****Perfecting Grant Deeds are optional to submit with the application – will be required to finalize Lot Merger.***

☐ **Five (5) copies of a folded lot merger map, *36" x 24" or 26" x 18"* (unless otherwise approved)**
The lot merger map itself must contain the following physical data:

- Existing and proposed lot lines
- Sufficient description to define the location, date, north arrow, scale and boundaries. Include an area map and show the full width of all streets bordering the property.
- Name and address of record owner or owners.
- Name and address of persons preparing map.
- Acreage to the nearest tenth of an acre, parcels less than one acre in area may be noted in square feet.
- Location and size of all pipelines, existing irrigation and drainage facilities, irrigation and drainage patterns, existing or proposed water wells, septic tanks and drain (leach) fields, sewer lines and structures used in connection therewith in the immediate vicinity of the lot lines being changed. The map shall also show water table depth, soil types and slope of the land.
- Outline of the existing buildings and mobile homes to remain in place within the subdivision, showing the distance to existing or proposed streets, lots and building lines.
- Tax Assessor's parcel number as shown on the latest County Assessment Roll.

☐ **A reproducible 8-1/2" by 11" copy of the lot merger map**

☐ **Application Fee**
Payable to Stanislaus County in the appropriate amount listed on Page 1.

APPLICATION CHECKLIST MUST BE SUBMITTED WITH APPLICATION QUESTIONNAIRE

The County will review the proposed application for compliance with County Ordinances and the State Subdivision Map Act rules pertaining to lot line changes. If the map is in conformance, it will be sent to interested agencies for their comments. After comments are received, staff will review them and make a final decision. ***Staff's decision may be appealed to the Planning Commission within ten (10) days of the decision. The appeal must be in writing, and accompanied by a $2,717.00 appeal fee. Please be advised that prior to recording final papers for approved mergers, you must submit signatures from any and all security holders for the properties involved, agreeing to the application.***

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S_____ T_____ R _____
ZONE _____
RECEIVED _____
APPLICATION NO. _____
RECEIPT NO. _____

MERGER APPLICATION

1. Property Owner(s):

Parcel 1

_____
Property Owner's Name
_____
Site Address, City, Zip
_____
Mailing Address (if different than site address)
_____
Telephone Fax

Parcel 2

_____
Property Owner's Name
_____
Site Address, City, Zip
_____
Mailing Address (if different than site address)
_____
Telephone Fax

Parcel 3

_____
Property Owner's Name
_____
Site Address, City, Zip
_____
Mailing Address (if different than site address)
_____
Telephone Fax

Parcel 4

_____
Property Owner's Name
_____
Site Address, City, Zip
_____
Mailing Address (if different than site address)
_____
Telephone Fax

2. Name and address of person(s) preparing map: _____

_____

3. Assessor's Parcel No. of parcels adjusted:

Parcel 1: Book_____ Page_____ No._____ Parcel 2: Book _____ Page _____ No. _____

Parcel 3: Book_____ Page_____ No._____ Parcel 4: Book _____ Page _____ No. _____

4. Size of all adjusted parcels:

	Before	*After*
Parcel 1:	_____	_____
Parcel 2:	_____	_____
Parcel 3:	_____	_____
Parcel 4:	_____	_____

5, Why are the lot lines being changed? BE SPECIFIC _____

_____

_____

6. How are these parcels currently utilized? Please check appropriate uses

- ☐ Residential
  - ☐ Single Family
  - ☐ Duplex
  - ☐ Multiple
- ☐ Commercial
- ☐ Industrial
- ☐ Other (Specify) _____

- ☐ Agriculture
  - ☐ Row Crop – type _____
  - ☐ Trees – type _____
  - ☐ Vines – type _____
  - ☐ Range (unirrigated) _____
  - ☐ Pasture (irrigated) _____
  - ☐ Poultry _____
  - ☐ Dairy
- ☐ Other (Specify) _____

7. List all structures on properties: _____

8. How have these parcels been utilized in the past, if different than current use? _____

9. When did current owner(s) acquire the parcel(s)?

Parcel 1: _____ Parcel 2: _____
Parcel 3: _____ Parcel 4: _____

10. Is the property under Williamson Act Contract? ☐ Yes ☐ No If yes, contract number? _____

11. Do the parcels irrigate? ☐ Yes ☐ No If yes, how? _____

12. Will these parcels continue to irrigate? ☐ Yes ☐ No If yes, describe any physical changes in the irrigation system. _____

13. Signature of property owner(s)

_____		_____
Owner's Signature	(Parcel 1)	Owner's Name Printed
_____		_____
Owner's Signature	(Parcel 2)	Owner's Name Printed
_____		_____
Owner's Signature	(Parcel 3)	Owner's Name Printed
_____		_____
Owner's Signature	(Parcel 4)	Owner's Name Printed

*****CONTINUED ON NEXT PAGE*****

CONTACT INFORMATION

CONTACT PERSON: Who is the primary contact person for information regarding this project?

Name: _____ email**:** _____

Address: _____

Telephone: _____ Fax**:** _____

(Attach additional sheets as necessary)

PROPERTY OWNER'S NAME: _____

Mailing Address _____

_____

Telephone: _____ Fax: _____

APPLICANT'S NAME: _____

Mailing Address _____

Telephone: _____ Fax: _____

ENGINEER / APPLICANT: _____

Mailing Address _____

Telephone: _____ Fax: _____

NOTICES TO ALL APPLICANTS:

TECHNICAL STUDIES:

If the project site is on or near a historical site, archaeological site, landfill site, river, floodplain, freeway, railroad, or airport, or if specific environmental impacts are identified throughout the course of the project review, then specific technical studies may be required. Applicants are encouraged to contact the Planning Department at the earliest possible opportunity to determine the possible need and scope of such studies.

DEED RESTRICTIONS AND COVENANTS, CONDITIONS AND RESTRICTIONS (CC&RS):

The property involving this permit request may be subject to deed restrictions called Covenants, Conditions and Restrictions (CC&Rs) or a variety of private easements or other deed restrictions which may restrict the property's use and development. These deed restrictions are private agreements and are **NOT** enforced by the County of Stanislaus. Consequently, development standards specified in such deed restrictions are **NOT** considered by the County when granting permits.

You are advised to determine if the property is subject to deed restrictions and if so, contact the appropriate homeowners association and adjacent neighbors about your project prior to proceeding with construction. Following this procedure will minimize the potential for disagreement among neighbors and possible litigation.

ACKNOWLEDGMENTS/AUTHORIZATIONS:

CULTURAL RESOURCES REVIEW

The County of Stanislaus may refer this application to the Stanislaus State University Archaeological Information Center to determine whether an Initial Study (Environmental Analysis) addressing cultural resources will need to be conducted by a cultural resource consultant. Should this referral occur, the applicant(s) understand that further study by a cultural resources consultant may be required. If further study is required, the applicant(s) will be responsible for any additional costs. The applicant(s) signature on this application form signifies an acknowledgement that this statement has been read and understood.

STREAMBED ALTERATION AGREEMENT AND U.S. ARMY CORPS OF ENGINEERS JURISDICTION

Prior to the commencement of any grading and/or construction activities on the property in question, that are based upon entitlements conferred by Stanislaus County permit approval(s), the applicant should consult with the California Department of Fish & Wildlife (DFW) to determine whether or not a Streambed Alteration Agreement [§1603, CA Fish & Game Code] is required. The applicant should also consult with the U.S. Army Corps of Engineers to determine whether or not a permit is required for these activities pursuant to Section 404 of the Clean Water Act. The applicant(s) signature on this application form signifies an acknowledgement that this statement has been read and understood.

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD - STORM WATER PERMIT REQUIREMENTS

Storm water discharges associated with construction activity are a potentially significant source of pollutants. The most common pollutant associated with construction is sediment. Sediment and other construction related wastes can degrade water quality in creeks, rivers, lakes, and other water bodies. In 1992, the State Water Resources Control Board adopted a statewide General Permit for all storm water discharges associated with construction activity that disturbs five or more acres of land. Effective March 10, 2003, all construction sites disturbing one or more acres of land will be required to obtain permit coverage. The General Permit is intended to ensure that construction activity does not impact water quality.

You need to obtain General Permit coverage if storm water discharges from your site and either of the following apply:

- Construction activities result in one or more acres of land disturbance, including clearing, grading, excavating, staging areas, and stockpiles or;

- The project is part of a larger common plan of development or sale (e.g., subdivisions, group of lots with or without a homeowner's association, some lot line adjustments) that result in one or more acres of land disturbance.

It is the applicants responsibility to obtain any necessary permit directly from the California Regional Water Quality Control Board. The applicant(s) signature on this application form signifies an acknowledgment that this statement has been read and understood.

STATE OF CALIFORNIA HAZARDOUS WASTE AND SUBSTANCES SITES LIST (C.G.C. § 65962.5)

Pursuant to California Government Code Section 65962.5(e), before a local agency accepts as complete an application for any development project, the applicant shall consult the latest State of California Hazardous Waste and Substances Sites List on file with the Planning Department and submit a signed statement indicating whether the project is located on a site which is included on the List. The List may be obtained on the California State Department of Toxic Substances Control web site:

(http://www.envirostor.dtsc.ca.gov/public).

The applicant(s) signature on this application form signifies that they have consulted the latest State of California Hazardous Waste and Substances List on file with the Planning Department, and have determined that the project site ☐ **is or** ☐ **is not** included on the List.

Date of List consulted: _____

Source of the listing: _____

(To be completed only if the site is included on the List)

INDEMNIFICATION:

In consideration of the County's processing and consideration of this application for approval of the land use project being applied for (the "Project"), and the related California Environmental Quality Act (CEQA) consideration by the County, the Owner and Applicant, jointly and severally, agree to indemnify the County of Stanislaus ("County") from liability or loss connected with the Project approvals as follows:

1. The Owner and Applicant shall defend, indemnify and hold harmless the County and its agents, officers and employees from any claim, action, or proceeding against the County or its agents, officers or employees to attack, set aside, void, or annul the Project or any prior or subsequent development approvals regarding the Project or Project condition imposed by the County or any of its agencies, departments, commissions, agents, officers or employees concerning the said Project, or to impose personal liability against such agents, officers or employees resulting from their involvement in the Project, including any claim for private attorney general fees claimed by or awarded to any party from County.

   The obligations of the Owner and Applicant under this Indemnification shall apply regardless of whether any permits or entitlements are issued.

2. The County will promptly notify Owner and Applicant of any such claim, action, or proceeding that is or may be subject to this Indemnification and, will cooperate fully in the defense.

3. The County may, within its unlimited discretion, participate in the defense of any such claim, action, or proceeding if the County defends the claim, actions, or proceeding in good faith. To the extent that County uses any of its resources responding to such claim, action, or proceeding, Owner and Applicant will reimburse County upon demand. Such resources include, but are not limited to, staff time, court costs, County Counsel's time at their regular rate for external or non-County agencies, and any other direct or indirect cost associated with responding to the claim, action, or proceedings.

4. The Owner and Applicant shall not be required to pay or perform any settlement by the County of such claim, action or proceeding unless the settlement is approved in writing by Owner and Applicant, which approval shall not be unreasonably withheld.

5. The Owner and Applicant shall pay all court ordered costs and attorney fees.

6. This Indemnification represents the complete understanding between the Owner and Applicant and the County with respect to matters set forth herein.

IN WITNESS WHEREOF, by their signature below, the Owner and Applicant hereby acknowledge that they have read, understand and agree to perform their obligations under this Indemnification.

(Attach additional sheets as necessary)

ASSESSOR'S INFORMATION WAIVER

The property owner(s) signature on this application authorizes the Stanislaus County Assessor's Office to make information relating to the current owners assessed value and pursuant to R&T Code Sec. 408, available to the Stanislaus County Department of Planning and Community Development.

PROPERTY OWNER/APPLICANT SIGNATURE

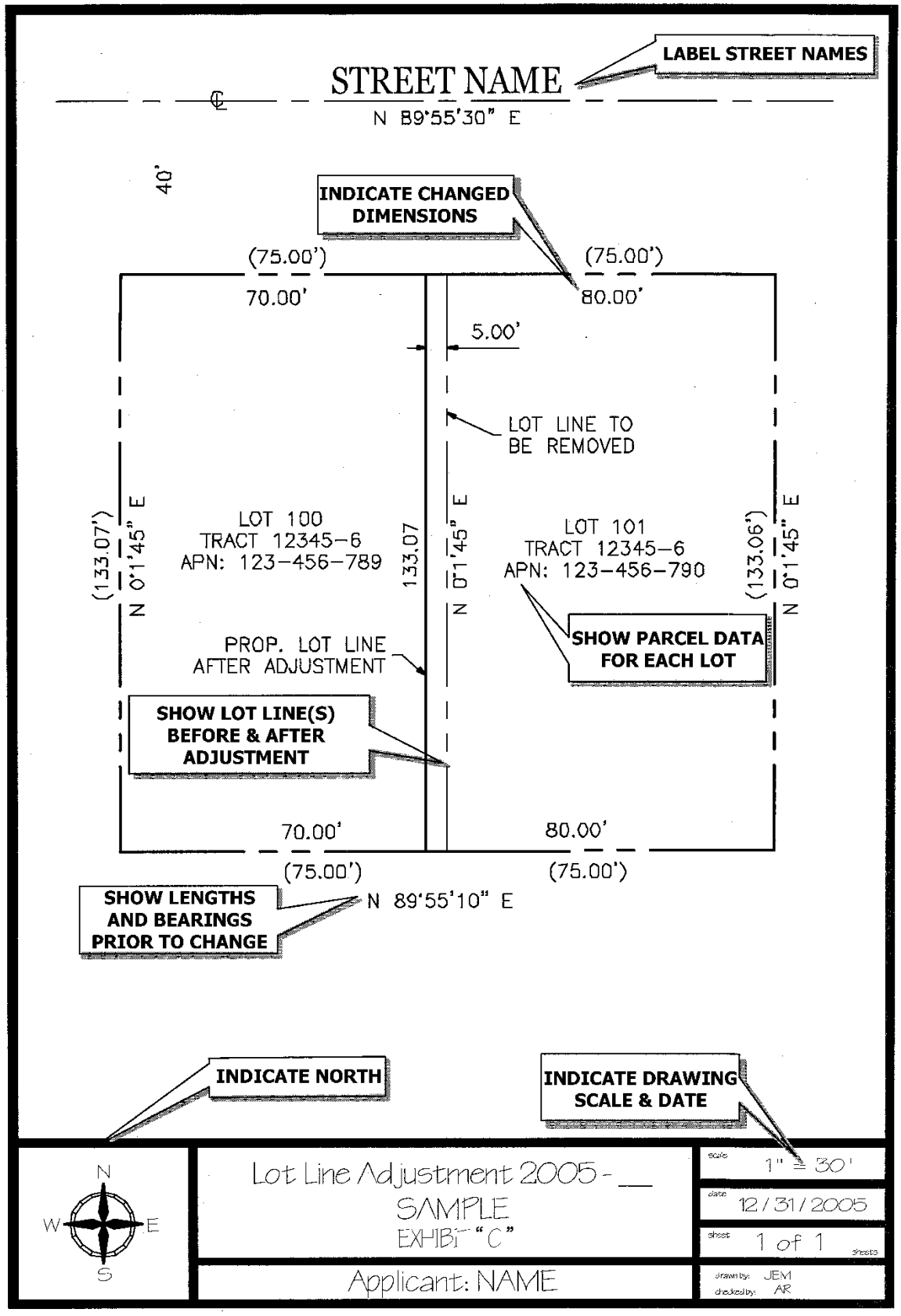
I hereby certify that the facts, statements, and information presented within this application form are true and correct to the best of my knowledge and belief. I hereby understand and certify that any misrepresentation or omissions of any information required in this application form may result in my application being delayed or not approved by the County. I hereby certify that I have read and fully understand all the information required in this application form including:

1. The Notices to All Applicants
2. Acknowledgments/Authorizations
3. The Indemnification

Property Owner(s): **(Attach additional sheets as necessary)**

Signature(s)	Print Name	Date

Applicant(s): (If different from above)

Signature(s)	Print Name	Date

EXAMPLE OF EXHIBIT "C"