

OWNER-INITIATED PARCEL MERGER SUBMITTAL CHECKLIST

- ___ **Application form** signed by property owner(s).
- ___ **Initial fee deposit** (check or online by credit card)
- ___ **Current Title Report**
- ___ **Legal Descriptions** of the resulting merged parcel(s), prepared by or under the direction of a licensed land surveyor or registered civil engineer authorized to practice land surveying (except no separate description is needed in the case of lots or parcels of a recorded subdivision or parcel map).
- ___ **Requirements for a Tentative Parcel Map pursuant to Section 19.6** may be required as necessary by the Public Works Director

The City Engineer shall require the recordation of a notice of merger pursuant to Section 19.72(E) and Government Code Section 66499.20 3/4

If you believe that any of the above requirements do not pertain to your project, please call the Department of Public Works at 510-420-3050 and make an appointment to meet with a planner.

OWNER-INITIATED PARCEL MERGER CRITERIA
CHAPTER 19, PIEDMONT SUBDIVISION CODE
(RELEVANT SECTIONS 19.6, 19.7, 19.8, AND 19.72(e))

SEC. 19.6 EXCEPTION – WAIVER OF PARCEL MAP.

- A. The public works director may, but is not required to, waive the requirements for a parcel map for the following: (GC §66428)
1. A division of real property or interests therein created by probate, eminent domain procedures, partition, or other civil judgments or decrees;
 2. A division of property resulting from conveyance of land or interest therein to or from the city, public entity or public utility for a public purpose, such as school sites, public building sites, or rights-of-way or easements for streets, sewers, utilities, drainage, etc. “Land conveyed to or from a governmental agency” includes a fee interest, a leasehold interest, an easement or a license; and
 3. A division of property which has been merged under this chapter, the Subdivision Map Act or any prior ordinance of the city.
- B. A person requesting a parcel map waiver shall comply with the requirements set forth in the city’s Subdivision Manual. To waive the parcel map requirements, the director, in consultation with the city engineer, shall find that the proposed division of land complies with requirements as to:
1. Area and frontage;
 2. The city’s standard engineering details for improvement and design, floodwater drainage control, appropriate improved public roads, sanitary disposal facilities, water supply availability and environmental protection;
 3. Other requirements of the Subdivision Map Act and this code; and
 4. The city’s Subdivision Manual.
- C. Whenever a parcel map is waived under this section, a parcel map shall be submitted to the city engineer and director. If approved, the city clerk shall transmit the map to the county recorder. If the county recorder rejects that map for filing, the city shall rescind its approval of the map per the requirements of Government Code Section 66466.

SEC. 19.7 OWNER-INITIATED PARCEL MERGER.

- A. Owner-Initiated Merger. The owner(s) of contiguous parcels under common ownership may merge the parcels without reverting to acreage if: (1) the ownership and deeds of trust for the parcels are identical; (2) no streets or easements are to be vacated; (3) one of the parcels is less than 5,000 square feet or does not meet slope stability standards; and (4) the resulting parcel(s) comply with the general plan and Piedmont Zoning Code, or substantially reduce the current non-compliance. The applicant shall submit an application for merger by filing the following items:

1. Application, in a form provided by the city;
2. Filing fee in the amount established by resolution of the city council;
3. A current title report;
4. Legal descriptions of the resulting merged parcels, prepared by or under the direction of a licensed land surveyor or registered civil engineer authorized to practice land surveying (except no separate description is needed in the case of lots or parcels of a recorded subdivision or parcel map).

The public works director may waive the requirements for a tentative parcel map under Piedmont Municipal Code section 19.6. The city engineer shall require the recordation of a notice of merger (see PMC §19.72(E)). (GC §66499.20 3/4)

- B. Owner-Initiated Merger and Resubdivision. Subdivided lands under common ownership may be merged and resubdivided without reverting to acreage by complying with all the applicable requirements for the subdivision of land. The filing of the final map or parcel map with the county recorder shall constitute legal merging of the separate parcels into one parcel and the resubdivision of the parcel, and the real property shall thereafter be shown with the new lot or parcel boundaries on the assessment roll. Any public streets or public easements to be left in effect shall be adequately delineated on the map. The filing of the map shall constitute abandonment of any public street or public easement not shown on the map if a written notation on each abandonment is listed by reference to the recording data creating the street or easement, and certified to on the map by the city clerk or city engineer. Any unused fees or deposits previously made regarding the original subdivision shall be credited pro rata towards any requirements for the same purposes which are applicable at the time of resubdivision. (GC §66499.20 1/2)
- C. Fees. The owner shall pay a fee for processing an owner-initiated merger or unmerger as provided for in Piedmont Municipal Code section 19.25.
- D. Inapplicability. The requirements and procedures of Piedmont Municipal Code section 19.70 through 19.73 do not apply to the owner-initiated actions in this section.

SEC. 19.8 CONSISTENCY.

No land may be subdivided or developed for a purpose which is inconsistent with the city's general plan, the Piedmont Zoning Code or other applicable provisions of this code. (GC §66474)

SEC. 19.72 PROCEDURE.

- E. Recordation of Notice of Merger. The city shall cause a notice of merger specifying the names of the record owners and particularly describing the real property to be recorded within 30 days after conclusion of the hearing. (GC §66451.16)