



VOLUNTARY LOT MERGER

SUBMITTAL PACKET

WHAT IS A VOLUNTARY LOT MERGER

A Voluntary Lot Merger is a process that combines two or more contiguous parcels of land held in common ownership into a single parcel. California Government Code § 66499.20.3 (Subdivision Map Act) authorizes local governments to allow such mergers by ordinance. Santa Barbara Municipal Code (SBMC) [Chapter 27.30 \(Merger of Parcels\)](#) sets forth the Voluntary Lot Merger provisions.

WHY DO A VOLUNTARY LOT MERGER?

For property owners interested in redeveloping sites for multi-unit housing, the City's 2023-2031 Housing Element encourages merging adjoining smaller parcels to increase the potential for developing larger projects with more units (see examples on Page 9). The City's [Suitable Sites Inventory](#) identifies parcels with the potential to consolidate.

A Voluntary Lot Merger may be desired for several reasons including:

- To redevelop a site as one new larger project rather than multiple smaller projects. Without completing a Voluntary Lot Merger, each building site would need to meet setbacks (if required), provide separate off-street parking areas, vehicle access, and open yards, and meet other zoning and building code standards. By completing a Voluntary Lot Merger, a new building would only be required to meet setbacks, vehicle access standards, and other similar standards for the combined larger parcel.
- To create a combined larger parcel that meets minimum lot size and street frontage requirements if needed for the project.
- To rectify situations where an existing building straddles a property line.

TIP: Once parcels have been merged, they cannot be unmerged except through the subdivision process.

ARE THERE ANY CRITERIA FOR APPROVAL?

Yes, the Public Works Director makes the decision on whether to record a Voluntary Lot Merger. After receipt of a complete Voluntary Lot Merger application request and all other necessary information, the Public Works Director will sign the merger if all the following findings can be made:

- The merger will not affect any fees, grants, easements, agreements, conditions, dedications, offers to dedicate or security provided in connection with any approvals of divisions of real property or lot line adjustments.
- The boundaries of the merged parcel are well-defined with adequate monumentation in existing recorded documents or filed maps.
- The document used to effect the merger contains an accurate description of the boundaries of the resulting parcel.
- All parties having any record title interest in the real property affected have consented to the merger upon a form and in a manner approved by the Director of the Department of Public Works of the City of Santa Barbara according to the terms, provisions, reservations and restrictions provided in Government Code Section 66436 for such consent, excepting those interests that are excepted by statute from the consent requirement.
- There has been compliance with all requirements and all fees have been paid, including a fee for recording the certificate of merger.

WHAT IS THE EFFECT OF THE MERGER?

The recording of the merger constitutes a merger of the separate parcels or units of land into one parcel. The merger does not 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 2-3 months. You can help expedite the review process by making sure that your application is filled out correctly and is complete, that all owners have signed the application and merger document, and that the legal description of the merged parcel is accurate and prepared by a licensed Land Surveyor. See the Review Process outlined on page 5.

HOW TO APPLY

This document includes a checklist of information that is required to apply for a Voluntary Lot Merger. Contact the [Public Works Counter](#) with questions about submittal requirements. All applications, including all supporting plans and documents, are accepted online via our [Accela Citizen Access Portal \(ACA\)](#). More information on online submittals is available on the City website: [Apply for a Permit](#).

SUBMITTAL REQUIREMENTS

FORMS

Public Works Permit Application

Completed [Public Works Permit Application \(PBW\)](#) with request for Voluntary Lot Merger.

Consent To Voluntary Lot Merger (page 6)

If any of the properties to be merged are financed, a "Consent to Voluntary Lot Merger" form signed by each owner of beneficial interests (i.e., mortgage holder) is required. Obtain signature of Trustee, pursuant to request of Beneficiary, for each deed of trust.

FEES

Fees

Payment via check, electronic check, or credit card is required before project review or processing. Once the application is submitted, City staff will follow up electronically with an invoice for the total fee amount. Fees may be paid online, mailed, faxed, or dropped off at 630 Garden Street for processing. For more information, see: [Fee Payment Options](#).

TITLE REPORT

Current Title Report

Submit a current title report (within three months of application) or grant deed for each parcel being merged.

LAND SURVEYOR DOCUMENTS

The following documents must be prepared, signed, and stamped by a licensed Land Surveyor:

Parcel Description

A description of the merged parcel, stating the Land Surveyor reviewed and approved the legal description of the parcel being created. The new legal description should contain deed references, "tying" it to adjacent parcels. If there are any questions as to the adequacy of the new legal description, a Record of Survey may be required (See SBMC 27.30, Monumentation).

Survey Calculations

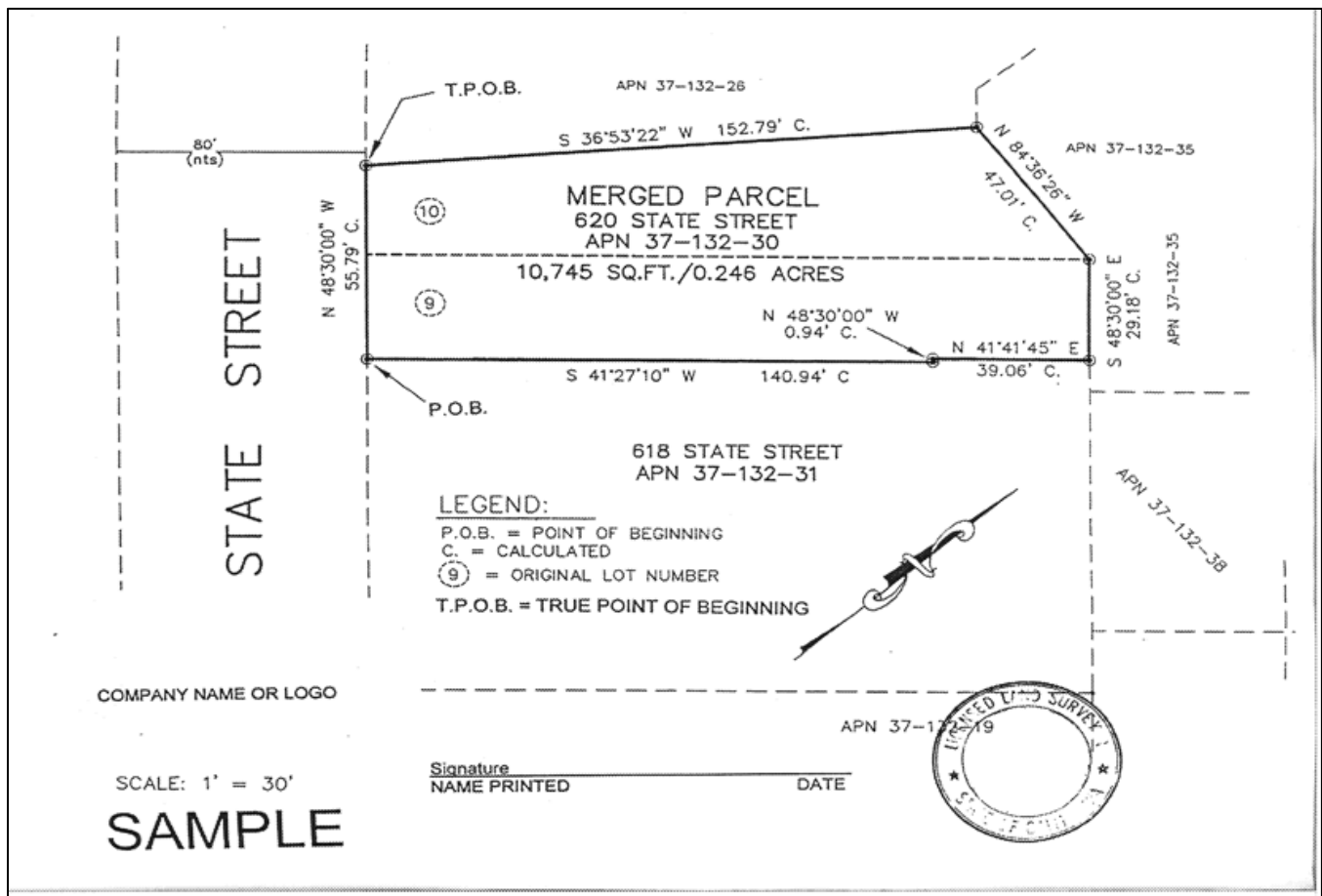
Survey gross area and closure calculations for each existing lot and merged lot (i.e., new parcel).

Lot Merger Exhibit

Accurate and legible 8½” x 11” Lot Merger Exhibit showing existing property boundaries (distances and bearings), existing lot lines to be obliterated, and adjacent roadways. Identify all adjacent properties on Merger Exhibit, identified as “For Informational Purposes Only”, with Assessor Parcel Number, record of survey number, parcel/final map number, or official record instrument number (see sample below).

NOTE: If requested by the licensed Land Surveyor or the Public Works Director, a Record of Survey (SBMC 27.30.020) shall be filed concurrently with the Certificate of Voluntary Merger, or the owner shall be required to obtain a title insurance policy for the adjusted parcels to ensure no "overlaps or gaps". The County Surveyors Office reviews and signs the Records of Survey prior to the City Engineer's signature.

Sample Lot Merger Exhibit



REVIEW PROCESS

STEP 1: APPLY ONLINE

Except for the notarized original hardcopy of the Certificate of Voluntary Merger (see Step 3 below) applicants will submit all required forms and documents through the City's online Permit Portal.

STEP 2: CITY REVIEW

City Land Development staff reviews the documents, and if complete, assembles submitted information into the Certificate of Voluntary Merger packet and returns the Certificate with Exhibits attached to the applicant for notarized signature by the owner(s). If application is not complete, staff will request missing information to be uploaded to the record.

STEP 3: EXECUTION

Owner(s) executes the Certificate and drops off the original hardcopy of the Certificate of Voluntary Merger packet, either in person to the Permit Center at 630 Garden Street, or by mail to the Public Works Counter, City of Santa Barbara, P.O. Box 1990 Santa Barbara, CA 93102-1990.

STEP 4: DIRECTOR SIGNATURE

Certificate of Voluntary Merger is signed by the Public Works Director and notarized.

STEP 5: RECORDATION

Public Works Staff records the document at the County Clerk-Recorder's office. The original, recorded document is returned to the City Engineer's office and Engineering staff enter the recording information in Accela.

STEP 6: COMPLETION

Engineering staff emails a conforming copy to the owner/applicant.

CONSENT FORM

TRUSTEE'S CONSENT TO VOLUNTARY LOT MERGER

_____ and _____ is/are the Trustee(s) under the Deed of Trust dated (the "Deed of Trust") executed by _____, and recorded as Instrument No. _____ in the Official Records of the Office of the County Recorder for the County of Santa Barbara, State of California. The Deed of Trust encumbers the real property described in the attached Certificate of Voluntary Merger (the "Certificate"). Pursuant to the request of the Beneficiary of the Trust Deed, Trustee does hereby consent to the execution and recordation of the Certificate, and agrees that upon recordation of the Certificate, the Trustee's and Beneficiary's interests in said real property (i) shall be subordinate to the Certificate and (ii) shall apply to the entire merged parcel rather than merely a portion of the merged parcel.

TRUSTEE:

Name of Trustee

By:

(Type or Print Name and Title)

(Signature)

(Address)

(Phone Number)

By:

(Type or Print Name and Title)

(Signature)

(Address)

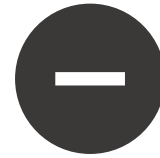
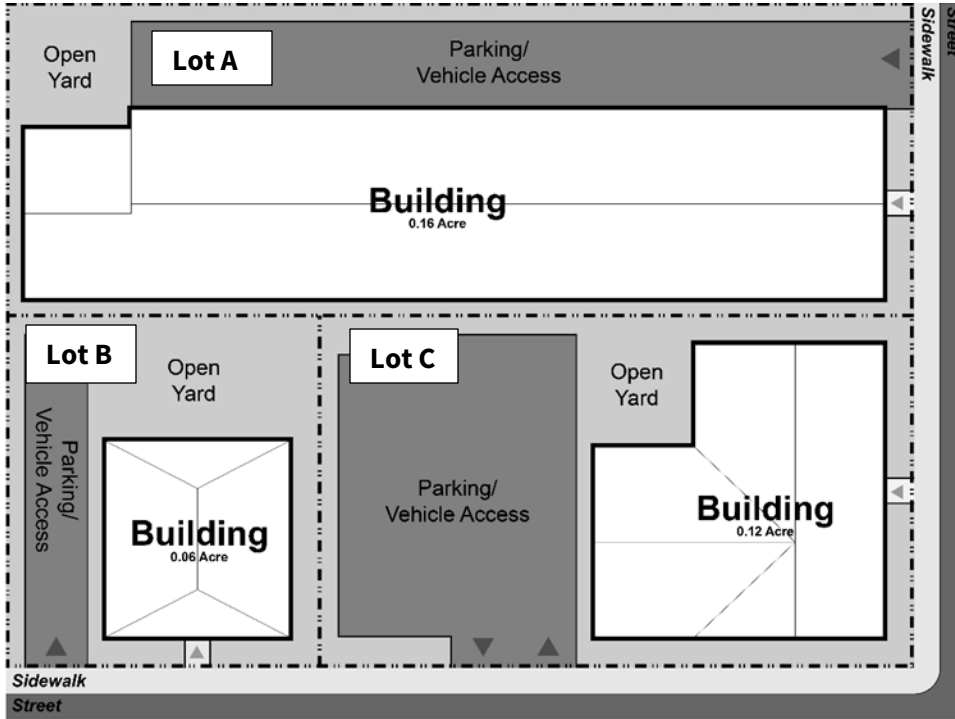
(Phone Number)

INSTRUCTIONS

This Consent must be recorded. A notary must acknowledge your signature(s). Inform the notary that the acknowledgement is for an instrument to be recorded. (California Civil Code 1169, et seq.)

EXAMPLE SITE PLANS

Option 1: Three Lots Developed Separately: Each Lot Requires Separate Setbacks, Open Yard, and Parking



Option 2: Three Lots Merged: Potentially More Units and Lower Construction Costs

