



Community Development Department Planning Division

LOT LINE ADJUSTMENT INFORMATION

PURPOSE: The lot line adjustment process allows minor changes in lot shape or size to be completed without the need for a more complicated subdivision application. The lot line adjustment process allows a property owner to change the shape or size of a lot by simply repositioning the existing lot lines.

WHEN REQUIRED: A lot line adjustment may be used whenever minor adjustments are needed to a given lot or lots. For example, if one property owner wishes to purchase a portion of an adjoining lot, a lot line adjustment can be used to move the property line to the new location, increasing the size of one parcel, and decreasing the size of the other. While the overall number of parcels may be reduced by a lot line adjustment, no new parcels may be created. To increase the number of parcels, a standard subdivision application is required (see "Parcel Map" or "Tentative-Final Map" information).

The Planning Director is responsible for review and approval of all lot line adjustments. The City Engineer must also approve the adjustment. No public hearing is required.

PROPERTY DEVELOPMENT STANDARDS: Generally, the affected lots must meet the City's property development standards after the lot line adjustment. Common development standards include minimum lot size, minimum lot width, maximum lot coverage, and building setbacks. In an example where a building already exists on one lot, the property line may not be moved so close to the building that the required building setback is no longer met. Refer to the "Summary of Property Development Standards" table for a listing of applicable standards by zoning district.

NONCONFORMING LOTS: If one or more lots are nonconforming, that is, a lot does not meet one or more of the applicable property development standards, then a lot line adjustment may be used to reduce or eliminate the nonconformity. An existing nonconformity might also be allowed to remain in some cases, provided that the adjustment does not increase the nonconformity, and depending when and how the lot was originally created. Regardless, however, all currently conforming aspects on all of the lots must remain conforming after a lot line adjustment.

PRE-APPLICATION REVIEW: While pre-application review is not required for lot line adjustments, it is encouraged. Pre-application review allows the project sponsor and City staff to discuss the proposed lot line adjustment, and to identify any issues or problems that may arise from the proposed adjustment. Applicants are encouraged to meet with members of the Planning and Public Works Departments during the pre-application process to identify pertinent issues. By meeting with staff early in the review process, many issues can be resolved which would otherwise cause later delays. The staff can also determine if additional permits may be required (such as a variance or design review) at this time. Information on pre-application review can be obtained from any of the staff planners.

APPLICATION: Both the State Subdivision Map Act and the Benicia Subdivision Ordinance require the submittal of certain information as part of a lot line adjustment application. The requirements for submittal are listed on this information sheet. Three sets of all paperwork and maps must be submitted initially. If larger than 8.5" x 11", all plans should be prefolded to a 9" by 12" size. Once submitted, the application will be reviewed for completeness. You will be contacted if additional information or copies are required. If you have any questions regarding a submittal, contact the Planning Division for assistance. See Benicia Municipal Code Section 16.08.010(R).

ENVIRONMENTAL REVIEW: The California Environmental Quality Act requires that certain types of applications undergo environmental review. Normally, lot line adjustments are exempt from environmental review. However, under certain circumstances, environmental review may be required. You will be informed if such review is required for your application. Please refer to the separate "Environmental Review" information sheet.

PROCESS/SCHEDULING: Once the lot line adjustment application is determined to be complete, it is formally accepted. A copy of the application is sent to the Engineering Division of the Public Works Department for review and approval. No public hearing is required. Once Engineering approval is received, the Community Development Director will review the application, and will either approve it or disapprove it. The process usually takes two to three weeks to complete, depending on the workload of the two departments. See Benicia Municipal Code Section 16.12.030(C).

ACTION: The Community Development Director or designate will either approve, conditionally approve, or disapprove the lot line adjustment. The Director's decision is based on criteria contained in the Subdivision Ordinance, the Zoning Ordinance, the General Plan, and the City staff's comments.

The Community Development Director's decision on a lot line adjustment is final unless appealed to the Planning Commission within 10 business days of the date of action. Information on appeals may be found in a separate information sheet. A lot line adjustment may not be recorded with the County until the close of the appeal period, and until any other necessary permits or approvals have been obtained.

Building permit	-	Building Division
Encroachment permit	-	Engineering Division
Grading permit	-	Engineering Division

RECORDATION: Following approval of the lot line adjustment, Planning Division staff will prepare the necessary documents for recording the adjustment. You will be contacted by the Planning Division when the documents are ready for recordation. The applicant is responsible for filing the lot line adjustment with the County Recorder, and for paying all fees related to recordation.

SUBMITTAL REQUIREMENTS: To file a lot line adjustment application, the following items must be submitted:

1. A completed application form (original only). Please note that the form must be signed by all affected property owners and by any mortgage/deed/trust holder(s).
2. 3 copies of a title company statement or report verifying ownership of the property, and the mortgagees/trust/deed/trust holder(s) of record.
3. 3 copies of a plat map, which has been prepared by a registered civil engineer or licensed land surveyor, and which contains the following information:
 - a. The exterior boundaries of the existing parcel(s), labeled with the address and assessor's parcel number on each parcel. Number each parcel ("Parcel 1", "Parcel 2", etc.) to correspond with the parcel information on the application form.
 - b. The existing lot line which is proposed to be changed, shown as a dashed line and labeled as "existing lot line".
 - c. The new lot line, shown as a solid line, and labeled as "new lot line".
 - d. The location of all structures, parking lots, and driveways on the parcel(s).
 - e. The location of any easements, rights-of way, public streets, or public utilities on the parcel(s).
 - f. The name, registration number, seal, and signature of the engineer or surveyor who prepared the legal description and the plat map.
4. 3 copies of a legal document, prepared by a registered civil engineer or surveyor, containing a legal description of the existing lots and the revised lots.
5. Any other drawings, reports or data determined by the Planning Division to be necessary to undertake the review of the application.
6. Filing fee (see separate Planning Division fee schedule). Checks should be made payable to "City of Benicia".

RELATED FORMS AND INFORMATION:

- Lot Line Adjustment Application Form
- Property Development Standards
- Fee Schedule
- Parcel Map information
- Tentative-Final Map information