



VARIANCE INFORMATION SHEET

FEES Application Fee.....\$1,024.00

Article 26 – Zone Variance

9-2.2600. Purpose - Under this article, the Planning Director may grant variances to prevent or lessen practical difficulties and unnecessary physical hardships resulting from a strict or literal interpretation and enforcement of land use regulations.

9-2.2601. Scope - A practical difficulty or unnecessary physical hardship necessary for a variance must result from size, shape or dimensions of a site or the location of existing structures from geographic, topographic or other physical conditions on the site or in the immediate vicinity, or from population densities, street locations or traffic conditions in the immediate vicinity. A variance from use regulations is not permitted. Variances shall be limited to requirements for fences and walls, site areas, width, frontage, depth, coverage, front yard, rear yard, side yards, height of structures, distances between structures, off-street parking facilities and off-street loading facilities.

Procedure for Considering a Variance

- 1) The Planning Director shall act on the application within thirty (30) days of filing. The Planning Director may grant a variance if the Planning Director makes the following findings:
 - a) Strict or literal interpretation and enforcement of the specified regulation would result in practical difficulty or unnecessary physical hardship, inconsistent with the objectives of the Zoning Ordinance.
 - b) There are special circumstances or conditions applicable to the property involved such that strict or literal interpretation and enforcement of the specified regulation would deprive the applicant of privileges enjoyed by the owners of other properties classified in the same Zoning District.
 - c) The granting of the Variance will not constitute a grant of special privilege inconsistent with the limitations on other properties classified in the same Zoning District.
 - d) The granting of the Variance will not create a safety hazard or any other condition inconsistent with the objectives of the Zoning Ordinance.
- 2) The Variance may be revocable, may be granted for a limited time period, or may be granted subject to such conditions as the Planning Director may prescribe. The Planning Director may deny a Variance application.
- 3) A Variance shall become effective upon the expiration of ten (10) days following the date on which the Variance was granted unless an appeal has been filed with the Planning Commission.
- 4) The Planning Director's decision may be appealed to the Planning Commission by the applicant or any other interested party within ten (10) days following the date of a decision of the Planning Director.

- 5) If appealed, the Planning Commission shall hear the appeal at a regular meeting at least ten (10) days, but not more than thirty (30) days after the filing of the appeal. The Planning Commission may affirm, reverse or modify a decision of the planning Director on a Variance application.

Term of Variance

(a) The term of the variance shall be determined by the Planning Director or the Planning Commission, as the case may be.

(b) An application for renewal of the variance may be presented to the Planning Director, and the Director may grant or deny an application for renewal of a variance. (c) The variance may be revoked upon violation of this Title, or if granted subject to a condition or conditions, upon failure to comply with the condition or conditions. Notice of revocation shall be sent to the person or persons responsible for compliance. Within thirty (30) days of the suspension, the Planning Director shall consider the suspension. If not satisfied the regulation, general provision, condition or conditions are being complied with, the Planning Director may revoke the use permit or take such action as may be necessary to ensure compliance with the regulation, general provision, condition or conditions.



CHECKLIST OF SUBMITTAL MATERIALS FOR VARIANCE APPLICATION

Project Number: _____

APN: _____

DATE: _____

Please use this as you assemble the materials for the submittal of your application. City staff will use the checklist to determine whether your application is acceptable for submission. **If your submittal package DOES NOT contain all of the information listed below, your application will not be taken in and receipted for processing.**

Section A – Fees

1. Variance Application Fee - \$1,024.00

Section B – Environmental Documents

***All projects must comply with CEQA guidelines.**

1. Categorical Exception
2. Negative Declaration.
3. Mitigated Negative Declaration.
4. Initial Study.

Section C – City Documents

1. One electronic drawing of the site and adjacent properties affected, showing existing and proposed parking and off-street loading facilities and landscaped areas. locations of streets, property lines, uses, structures, driveways, pedestrian walks, and off-street parking sent in pdf to planning@californiacity-ca.gov
2. One set of Site Plans submitted on 8.5" x 11" sheets.
3. One set of site plans submitted on 11" x 17" sheets, 1200 DPI.
4. One Air Photo on 11' x 17" sheet identifying existing site proposed for Variance and surrounding properties.
5. Title Report, (not more than 60 days old) or Lease Agreement or Closing Statement from Escrow.
6. Legal Description
7. Photos of Cardinal Directions (North, South, East, and West) from the Parcel.
8. All Projects must submit a **PRE-CONSTRUCTION SURVEY** prior to any grading work.