

CITY OF GONZALES
REQUEST FOR VARIANCE APPROVAL
Submittal Information Package

Attached is the Development Application Package for the submission of a Variance Approval application to the Planning Department.

The following documents are enclosed as part of the submittal package:

- Variance Approval Submittal Information Sheet (This Document)
- Standard Development Application (4 Sheets)
- Application Package Check List
- Environmental Assessment Questionnaire

In addition, the following information is provided to assist you in filing the application package and guide you through the approval process.

1. **WHEN APPLICATION REQUIRED.** A variance application is submitted when an applicant is requesting relief from physical standards established by the zoning ordinance. Such standards include: building setbacks, lot coverage, lot width, lot depth, etc., Variances cannot be granted for relief from use limitations. use permit application.

2. **APPLICATION PROCESS.** Variance applications are considered by the Planning Commission at an advertised public hearing. A brief summary of the application process is as follows:

- a. Preapplication meeting(s) to review variance request on an informal basis with staff to work out details early in process and to help insure a complete submittal, or to consider other options that would eliminate the need for a variance.
- b. Formal submittal of application package with plans and filing fees.
- c. Review of project with staff Project Review Committee. Usually occurs within two (2) weeks of submittal of completed application.
- d. Committee either determines that submittal is complete and makes recommendation for approval, or determines what information is deficient or needs clarification. A written determination of this action is provided to the applicants.
- e. Once the City determines that the project application is complete, Planning Department staff will schedule the matter for public hearing.

PREAPPLICATION REVIEW. You may request a preapplication review of your request by staff of the Planning, Public Works, Building, Engineering, and Fire Departments. Depending upon the complexity of the project, this process can take from one to three weeks but can save time later by resolving issues in the review process. One pre-

application meeting can be requested without fee. Any staff time beyond two (2) hours for preapplication review requires the submittal of an application and payment of fees.

APPLICATION. The submittal requirements for a variance application are set forth in the section entitled "Variance Approval: Submittal Requirements" (see next page). Incomplete applications are often the main cause of delays in processing any application. Please submit each of the items listed. Call the Planning Department if you have any questions. Staff will review the application for completeness. State law requires that a determination be made on the completeness of an application within 30 days of submittal. You will be notified by mail of the status of your application.

DEVELOPMENT APPLICATION FEES. Development application fees are specified by the City Council and must be submitted with the application package. Development application fees are placed in a deposit account upon received. All costs to process that application are then paid from that deposit account. If, during the processing of that application it is determined that there will be insufficient funds to cover the total cost, the applicant will be required to place additional funds in that account before the processing can continue. A complete description of this fee process is contained in a separate handout that is available upon request.

JOINT APPLICATIONS. In many cases, two or more development applications may be required for a specific project. While separate fees are assessed for each development application and the fees placed in the same deposit account, it is noted that certain economies of scale take place in joint application processing. Therefore, staff will insure that the applicant is not charged two or more times for the same work.

ENVIRONMENTAL REVIEW. All development applications are subject to the Environmental Review process, as required by the California Environmental Quality Act (CEQA). If staff determines that your project is not a listed exempt project, additional environmental review and documentation will be required before the project application process can be continued. If additional environmental review is required, you will be notified in writing. Additional forms and fees will be required.

SCHEDULING. When it has been determined that a complete application has been submitted, and if the project does not require the preparation of a Negative Declaration or an Environmental Impact Report, the project can normally be scheduled for action by the Planning Commission shortly upon completion of the review by the Project Review Committee. Where a Negative Declaration or Environmental Impact Report is required, no action will be taken on the application until those documents are completed.

PLANNING COMMISSION MEETING. Prior to the public hearing, the Planning staff will review the application, taking into account any information from department heads, agencies, or the general public, and prepare a written staff report and recommendation for the Planning Commission. The applicant will receive a copy of the staff report and the Planning Commission agenda prior to the meeting. At the scheduled meeting, the Planning Commission will hear all appropriate testimony and, based on criteria set forth in the zoning code, will act to make a decision.

PLANNING COMMISSION ACTION. At the public hearing, the Planning Commission will hear all appropriate testimony, and will normally come to a decision at that hearing.

In order to approve a variance request, the Planning Commission must make the following findings specific to the application being heard:

- a. That because of special circumstances applicable to the subject property, including size, shape, topography, location, or surroundings, the strict application of the zoning ordinance is found to deprive the subject property of privileges enjoyed by other property in the vicinity and under identical zoning classification.
- b. That any variance granted shall be subject to such conditions as will assure that the adjustments thereby authorized shall not constitute a grant of special privilege inconsistent with the limitations upon other properties in the vicinity and zone in which the subject property is situated.

APPEALS. Any person may appeal any action of the Planning Commission to the City Council. Such an appeal must be filed on a written form, with a filing fee, and filed within 15 calendar days of the Planning Commission action. No action on the project becomes effective until after the appeal period has passed.

RESULTS. No development application shall have any force or effect until the applicant acknowledges receipt thereof and acceptance of all conditions applicable thereto. Any project approval granted in accordance with the provisions of the zoning code shall, without further action, become null and void if not used within one year from the date on which it was granted, or within any longer or shorter period of time specified in said permit; provided, however, that the Planning Commission shall have the authority to extend the time limit in the case of unavoidable delay.

OTHER PERMITS. Prior to construction, a building permit must be secured.

VARIANCE APPROVAL APPLICATION SUBMITTAL REQUIREMENTS

In order to file a completed Variance Approval Application, you must submit the items listed in the attached checklist. All of these items must be submitted or the application will be determined to be incomplete. No further processing of the application can then proceed until all items are received.

For further information, please contact the City of Gonzales Planning Department at 147 Fourth Street, P.O. Box 647, Gonzales, CA 93926, or call (831) 675-4203.