



VARIANCE APPLICATION GUIDELINES

CITY OF DUNSMUIR

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VARIANCE APPLICATION REQUIREMENTS

In order to ensure timely processing of your application, your cooperation is requested with the following items:

1. Preapplication Discussion with Staff. Because of the significant burden of proof on the applicant for a variance, it is strongly recommended that you discuss the purpose of the variance and the justification for it with Planning staff prior to submission of a formal application or preparing detailed architectural plans. This will allow staff an opportunity to review the location or area affected and consider the feasibility of the request relative to state law and local ordinance.

2. Application Form. The Planning Application form shall be properly filled out and signed by the applicant(s) and all property owners. All property owners shall sign or a power-of-attorney shall be submitted specifically authorizing a designated person to sign the application. If the property owner is a corporation, a resolution from the corporation authorizing this application shall be submitted. The resolution shall indicate an individual or individuals who are authorized to sign the application on behalf of the corporation. To be processed, your application must be complete.

All information required in the attached application form must be TYPED or PRINTED NEATLY in blue or black ink.

Please note that city staff has been instructed not to accept incomplete applications. If you are unable to provide the requested information, please speak with staff at City Hall to determine a proper course of action.

3. Project Narrative. The Planning Application includes space for this information, but if necessary, additional pages should be attached to describe the proposed project in detail.

4. Environmental Information Form. Depending on the nature of the application, the City's Environmental Information Form may be required. Please discuss this requirement with Planning staff to determine its applicability.

5. Site Layout Plan. An accurate drawing of the property must be provided. All site plans must be 24" x 36" or smaller; however, in no case shall the site plan be smaller than 8-1/2" x 11". If submitted plans are larger than 11" x 17", a copy of a reduced sized plan shall also be provided. All site plans must be clear, legible, and contain the following information:

- Exterior boundaries and dimensions of the property.
- North arrow and scale (generally, a scale not to exceed 1" = 40' works the best).
- Name of property owner, property address, and assessor parcel number(s).
- All existing and proposed buildings and structures, including their location, size (approximate square footage), height, and proposed or existing use (i.e., home, garage, fence, etc.).
- Location, name, width, and pavement type of adjacent and on-site streets/alleys.

- Location and dimensions of all existing/proposed easements, points of access (existing and proposed), driveways and parking areas, and pavement type.
- General location of major topographic, natural, and man-made features, such as streams, rock outcrops, bluffs, large trees, swales, and graded areas.
- Slope contours indicating direction and percentage of slope.
- All areas proposed for grading and landscaping.
- Location, use, and approximate dimensions of all structures within 100 feet of the site's boundaries.

Please speak with Planning staff about your project prior to compiling the above information. For some projects, not all of the information will be germane to the request.

6. Grant Deed. A current deed to the property must be provided. In some circumstances, a Preliminary Title Report may also be required.

7. Development Plans. If applicable, one set of preliminary development plans shall be required at the time of application submittal. The plans shall show elevations to scale which show all sides of any proposed building or structure. The floor plan shall show uses within each proposed building or structure.

8. Additional Information. As the applicant, you may be asked to provide more detailed information on the project as part of the application requirements, including, but not limited to, such items as soils reports, drainage plans, geologic reports, archaeological reports, biological studies, noise studies, traffic and circulation studies, etc. You are responsible for providing sufficient information to the city to allow proper review of your application.

Acceptance of your application does not guarantee your application will be approved by the Planning Commission. Nothing stated to any person by any employee in City government can be construed in any way as speaking for the Planning Commission relative to your application.

FREQUENTLY ASKED QUESTIONS

WHAT IS A VARIANCE?

A variance is an exception to a land use regulation where because of unique characteristics of the property, such as size, shape, topography, location, or surroundings, the strict application of the land use regulation would prevent the property from being developed and utilized as other nearby properties with identical zoning.

Any variance granted shall be subject to such conditions as will assure that the adjustment, thereby authorized, shall not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and zone in which such property is situated.

It is important to note that a variance cannot be granted for a use or activity that is not expressly authorized in the zoning district governing the property.

WHAT INFORMATION IS REQUIRED FOR A VARIANCE APPLICATION?

Applications for a variance must be complete and be accompanied by information to substantiate the need for a variance. This would normally include a description of the physical limitations or special circumstances on the property that prevent it from being developed and used in conformance with the zoning regulations, as well as an explanation of why the request would not be a grant of special privilege. In cases where the variance is a request to reduce a setback and/or exceed the building height limit of your property, a site plan of the property and/or building elevation profiles should accompany the

application.

HOW MUCH WILL THE APPLICATION PROCESS COST?

City of Dunsmuir - Planning fees are published on the City of Dunsmuir Fee Schedule, which is available on the City's website and at City Hall. Checks should be made payable to the City of Dunsmuir.

California Department of Fish and Wildlife - Pursuant to Fish and Game Code Section 711.4, CDFW imposes and collects a CEQA filing fee to defray the costs of managing and protecting California's fish and wildlife resources. This fee applies regardless of whether CDFW participates in the review of your project. Under certain circumstances, unless the fee is paid, the project will not be valid. In order to minimize the impact of collecting this fee, the fee is not paid until the project is approved.

Pursuant to the same Fish and Game Code Section 711.4, the Siskiyou County Clerk is authorized to collect a fee in order to off-set the cost for the posting of either a Notice of Exemption or Notice of Determination for your project.

It is the applicant's responsibility to pay the County Clerk's fee and the CDFW fee (check made payable to the Siskiyou County Clerk). The City will not file a Notice of Exemption or a Notice of Determination on behalf of the applicant unless the applicant submits a check to the City for both of Clerk fee and CDFW fee (when required) immediately upon project approval. The Notice of Exemption or Notice of Determination is to be filed with the County Clerk within five business days of project approval. Applicants may file their Notice of Exemption directly with the County Clerk.

California Northeast Information Center for Cultural Resources - Your project may be subject to this fee (made payable to the CSU Chico Research Foundation) should the project potentially impact historic or cultural resources.

HOW LONG WILL THIS PROCESS TAKE?

Variances require a public hearing before the Planning Commission. The review, public notice, and public hearing process to bring the application before the Planning Commission may take 30 to 90 days, depending on when the application is accepted as being complete for processing. The timeline can become longer when additional information is required from other agencies reviewing the project. Planning Commission hearings are held the second Wednesday of each month. Provided the Planning Commission's approval is not appealed to the City Council, the variance becomes effective after 10 days.

ARE INCOMPLETE APPLICATIONS RETURNED?

In the event that an application has not been determined to be complete and ready for processing within six (6) months after the date of the first incomplete notice, the applicant must complete all outstanding requirements within thirty (30) days of written notice to complete the application requirements. If the applicant fails to complete the application submittal requirements within this timeframe, the application will be considered abandoned and staff's time and costs incurred working on the project shall be charged against the application filing fees, and any remaining balance shall be refunded to the applicant.

The City Manager may waive this requirement where this provision would represent an unreasonable time expectation in the determination of the City Manager. Examples of such projects could include Environmental Impact Reports, projects which require the completion of complex studies, or projects where the applicant is diligently working with staff to address project related issues.